



transport planning



Dorchester Group

# OS Parcel 157- Adjoining and West Chilgrove Drive and Adjoining and North of, Camp Road, Heyford Park

Section 78 Appeal by: Richborough Estates, Lone Star Land Ltd, K and S Holford, A and S Dead, NP Giles and A L C Broadberry

November 2023



[modetransport.co.uk](http://modetransport.co.uk)



Dorchester Group

## OS Parcel 157- Adjoining and West Chilgrove Drive and Adjoining and North of, Camp Road, Heyford Park

Section 78 Appeal by: Richborough Estates,  
Lone Star Land Ltd, K and S Holford, A and S  
Dead, NP Giles and A L C Broadberry

**OFFICE ADDRESS:**  
Butler House,  
177-178 Tottenham Court Road,  
London,  
W1T 7NY

**PROJECT NO:**  
J327680

**DATE:**  
November 2023

REPORT No:	FILE NAME	PREPARED:	DATE OF ISSUE:	STATUS:	CHECKED:	AUTHORISED:
V53	231107 J327680 POE V5.3.docx	DJF	07 November 2023	Final	MGF	CH

### CHANGE LOG

VERSION	DATE:	CHECKED BY:	REASON FOR CHANGE:
V53	07 November 2023	MGF	Amendments

# CONTENTS

1.	Introduction	4
1.1	Personal Statement	4
2.	Scope of Evidence	5
2.1	Preamble	5
2.2	History of Engagement	5
2.3	A Highways Statement of Common Ground	6
3.	Areas of Assessment	7
3.1	Reason for refusal	7
3.2	Assumed Mitigation	9
3.3	Additional Junction Capacity Work	11
3.4	S106 Triggers and Mechanism for Delivery	17
3.5	Delivery Trajectory	19
3.6	Additional Highways Capacity	19
3.7	Vehicular Access	19
3.8	Sustainable Access	20
3.9	Wider Masterplan Implications	21
4.	Conclusion	23
4.1	Overview	23
4.2	Summary	23

## DRAWINGS

## APPENDICES

APPENDIX A 20/05/2022 OCC Response 21-04289-OUT

APPENDIX B 02/09/2022 National Highways Response 21-04289-OUT

APPENDIX C Correspondence with James Parker (Hub Transport Planning)

APPENDIX D Correspondence with Joy White (OCC)

© Copyright mode transport planning. All rights reserved

This report has been prepared for the exclusive use of the commissioning party and unless otherwise agreed in writing with mode transport planning, no other party may copy, reproduce, distribute, make use of, or rely on the contents of the report. No liability is accepted by mode transport planning for any use of this report, other than for the purposes for which it was originally prepared and provided.

Opinions and information provided in this report are on the basis of mode transport planning using due skill, care and diligence in the preparation of the same and no explicit warranty is provided as to their accuracy. It should be noted and is expressly stated that no independent verification of any of the documents or information supplied to mode transport planning has been made.

APPENDIX E Oxfordshire County Council Regulation 122 Compliance Statement  
21-04289-OUT

APPENDIX F A43/M40 Slip Road/B430 (Ardley Roundabout) Junction  
Assessment Results

APPENDIX G A43-B4100 Baynards Green Roundabout Junction Assessment  
Results

APPENDIX H Hopcrofts Holt Signals & Mitigation Junction Assessment Results

APPENDIX I B430/Ardley Road & Signals Mitigation Junction Assessment  
Results

APPENDIX J Site Access Junction Drawing T19562.001

APPENDIX K Residential Design Guide

# 1. Introduction

## 1.1 Personal Statement

- 1.1.1 My name is David Frisby; I am a Director of mode transport planning (mode), which is a transport planning consultancy that provides independent transport planning advice to developers, as well as Local Authorities.
- 1.1.2 I am a Bachelor of Engineering Graduate (with Honours) in Civil Engineering from Kingston University, having gained this degree in 2000. I am a Chartered Engineer and an Elected Fellow of the Chartered Institution of Highways and Transportation.
- 1.1.3 My professional experience has been gained entirely in the field of highways and transportation, the last twenty five years having been spent in the transport aspects of major development planning applications on projects such as the Maidenhead town centre redevelopment; Westfield Shopping Centre at White City; Brighton Marina regeneration, Arkall Farm/Gungate Corridor at Tamworth, Kettering East & Priors Hall in Northamptonshire and more recently, Long Marston Airfield in Stratford upon Avon and the allocation of the Worcester Parkway.
- 1.1.4 My submission of this Proof of Evidence (PoE) to this Inquiry is on behalf of Dorchester Living and I present evidence on transportation matters. I have been involved in the project since the Summer of 2023 as the Project Director overseeing the transportation assessment work on the site now known as Heyford Park, Oxfordshire.
- 1.1.5 I have examined the site and its surroundings; I am familiar with the transport related documents that resulted in the highways proposals submitted as part of the original planning application and that are therefore relevant to this Inquiry.
- 1.1.6 The evidence that I have prepared and provided for this Inquiry is true and has been prepared in accordance with the guidance of my professional institution, irrespective of by whom I am instructed by.

## 2. Scope of Evidence

### 2.1 Preamble

- 2.1.1 mode was instructed by Dorchester Living to undertake the traffic and transportation review of the planning application submitted in relation to proposals for the site known as Heyford Park in Oxfordshire.
- 2.1.2 Hub Transport Planning prepared a Transport Assessment (CD A13) that was accompanied by a supporting Framework Travel Plan (CD A14) associated with application Ref. 21/04289/OUT.
- 2.1.3 Oxfordshire County Council (OCC) in their capacity as Local Highway Authority (LHA) responded to the application in their officer's response dated 20/05/22, following which a Transport Assessment Addendum (CD B16) was submitted to address some of the points that OCC had raised. No further comments were then received from OCC Highways following this technical submission prior to the refusal of the application. A copy of the OCC Officer's response is included in [Appendix A](#).
- 2.1.4 Given the location of the site in relation to M40, National Highways (NH) as a statutory consultee provided a letter of no objection on 02/09/22; a copy of their response is included in [Appendix B](#).
- 2.1.5 The Transport Assessment was prepared to support 230 residential dwellings; the description of development has been taken from the application (Ref. 21/04289/OUT) and is as follows:

*"Outline application for the erection of residential dwellings including affordable housing (Use Class C3), new vehicular access points off Amersham Road and Eastern Relief Road, a local centre including a community building (Use Classes E(a)(b)(c)(d)(e), F1(d)(e), F2(a)(b) and C3) a primary school and pre-school (Use Classes E(f) and F1(a)), public open space and associated infrastructure (matter to be considered at this stage: access)."*

- 2.1.6 The Appellant submitted a new application (23/01503/OUT) during 2023, however Cherwell District Council (CDC) in their role as Local Planning Authority (LPA) declined to determine because the same proposals were subject to this Appeal (in accordance with Section 70B(4) of the Town and Country Planning Act).
- 2.1.7 My PoE will set out the reasons why the reason for refusal should be upheld and the Appeal refused.

### 2.2 History of Engagement

- 2.2.1 Following the submission of the planning application and its subsequent refusal, mode have approached Hub Transport Planning with a view to clarify ongoing workstreams on various technical matters during the preparation of this PoE, as follows:

- 2<sup>nd</sup> October 2023 telephone call to James Parker, Director of Hub Transport;
- 4<sup>th</sup> October 2023 email to James Parker to request a meeting;
- 12<sup>th</sup> October 2023 meeting with James Parker and Reuben Bellamy, Director at Lone Star Land;
- 13<sup>th</sup> October 2023 James issues proposed assessment methodology;
- 16<sup>th</sup> October 2023 email from myself agreeing with the proposed methodology;
- 25<sup>th</sup> October 2023 requesting update on progress, with a view of reaching common ground;
- 30<sup>th</sup> October 2023 AM requesting update on progress; and
- 30<sup>th</sup> October 2023 PM series of summary spreadsheets issued with RSA1.

2.2.2 A record of our engagement is included at [Appendix C](#), some of the key information agreed/requested at the 12<sup>th</sup> October 2023 meeting is as follows:

- The Appellant was committed to providing S106 contributions to mitigate the transportation impacts of their development.
- The Appellant was currently preparing analysis that assesses the Appellant's site in the absence of assumed Dorchester mitigation.
- The Appellant will assess the junctions where Dorchester have an impact for completeness.
- The Appellant will assess how many of their units will trigger the mitigation already identified by Dorchester.
- The Appellant will undertake a Stage 1 Road Safety Audit in relation to their proposed access onto Camp Road.
- The Appellant will share the analysis and the outcome/results with mode as soon as practicable and in any event in advance of the exchange of evidence; this will assist in the preparation of a Highways Statement of Common Ground (HSoCG).

## 2.3 A Highways Statement of Common Ground

2.3.1 Following on from dialogue set out above, a HSoCG has not yet been prepared between both parties.

### 3. Areas of Assessment

#### 3.1 Reason for refusal

3.1.1 The Council’s Reason for Refusal (RfR) 2 is as follows:

*"In the absence of a satisfactory unilateral undertaking or any other form of Section 106 legal agreement, the CDC is not satisfied that the proposed development provides for appropriate infrastructure contributions or transport mitigation required as a result of the development and necessary to ensure modal shift to sustainable transport modes and make the impacts of the development acceptable in planning terms, to the detriment of both existing and proposed residents and workers and contrary to policy INF 1 of the Cherwell Local Plan 2015, CDC’s Planning Obligations SPD 2018 and Government guidance within the National Planning Policy Framework."*

3.1.2 Following lengthy scoping discussions with OCC (and NH) it was agreed during the preparation of the Dorchester Living application (18/00825/HYBRID) that any development proposals forming part of the wider PV5 Heyford Park allocation for 1,591 residential units need to be considered in the context of ensuring cumulative assessment was undertaken to identify the need for specific mitigation and explicitly when then such mitigation would be required. This assessment approach was taken by the following PV5 applications as shown in **DJF001**.

**Table DJF001: PV5 planning applications (1,591 units)**

Application	Units	Comments
16/02446/F	296	DL first approval under PV5
18/00825/HYBRID	1,175	DL main application under PV5
15/01357/F	89	Pye scheme under PV5
21/02523/OUT	31	Pye scheme under PV5

3.1.3 As part of this process circa 25 junctions were agreed to be assessed (**Figure DJF001**). Despite being immediately adjacent to Heyford Park, the Appellant did not assess all these junctions as part of their Transport Assessment; I am unclear why such an inconsistent approach was taken by OCC at that time.



3.1.4 Furthermore, the only mention of mitigation triggers or financial contributions to any form of mitigation in the Appellants Transport Assessment (CD A13, Page 11, Section 3.53) is in relation to improvements in public transport services.

3.1.5 Whilst the application was made for up to 230 units; the Appellant's Transport Assessment assessed 250 dwellings, which resulted in a total contribution set out in their Transport Assessment of £262,750 towards the public transport strategy for the Heyford Park area.

3.1.6 I have not identified any further mention within the remainder of the Transport Assessment of financial contributions or commitment towards the infrastructure highway works such as those enforced upon Dorchester Living.

3.1.7 The Application went to committee on the 09<sup>th</sup> March 2022 ([Appendix A](#)) however, does set out a series of offsite highway mitigation, I have shown these key junctions in [Figure DJF002](#):

- Junction 7 = Signalisation of the junction of unnamed road / B430;
- Junction 17 = Capacity improvements at the junction of the A4260 / B4030 (Hopcrofts Holt);
- Junction 24 = Signalisation of the junction of Chilgrove Drive / B430 / unnamed road; and
- Junction 25 = Signalisation of the junction of Ardley Road and the B340 at Ardley.

3.1.8 However, what is not clear is how these junctions have been identified by the Appellant's transportation advisors and/or OCC through their technical assessment. In addition, further sustainable mitigation is also sought by OCC in the same committee report:

- Electric Vehicle provision in line with OCC 2021 Strategy;
- Bus contribution of £260,590 (based on 230 units);
- Bus loop and HGV access within PV5 masterplan area;
- New crossing of Camp Road near Heyford Free School;
- Improvements to Camp Road;
- Cycle route alongside unnamed road to B430; and
- Travel Plan monitoring.

3.1.9 As part of this Inquiry CDC issued a Statement of Common Ground (CD E7) dated 2<sup>nd</sup> October 2023 page 24, Section 8.59 in relation to highways states:

*"It is agreed that Oxfordshire County Council were consulted on the outline application and would have no objection to the proposals subject to S106 contributions being*

*provided to fund mitigating highway works, public transport services, travel plan monitoring, an obligation for a S278 and conditions.”*

3.1.10 However, following the refusal and as of 31<sup>st</sup> October 2023, it is my understanding that the Appellant has not confirmed in writing or progressed these S106 requests with OCC Highways officers ([Appendix D](#)).

3.1.11 Therefore, my conclusion is that in the absence of a formal Section 106 agreement or satisfactory unilateral undertaking entered into, then the reason for refusal should be upheld and the Appeal dismissed.

## 3.2 Assumed Mitigation

3.2.1 Following scoping discussions with OCC and NH it was agreed that any development proposals forming part of the Heyford Park allocation needed to be considered in the context of the cumulative impact of the full 1,591 residential units (As set out in [Table DJF001](#)), as part of this process 25 junctions were agreed to be assessed ([Figure DJF001](#)).

3.2.2 The Appellant discounted detailed capacity assessment of a number of those 25 junctions resulting in detailed assessment of 9 of those key junctions (set out in [Figure DJF003](#)), whilst this may on the surface seem like a reasonable approach, it does not allow for or consider the sensitivity of those junctions.

3.2.3 For example, highway mitigation was identified by Dorchester Living application (18/00825/HYBRID) is summarised in [Drawing DJF004](#):

- Junction 1 = A43 / M40 Slip Road improvements
- Junction 4 = Baynards Green Roundabout improvements
- Junction 7 = B430/A34 junction
- Junction 11 = B4030/ unnamed Road
- Junction 16 = A4260/Somerton Road junction
- Junction 17 = A4260/B4030 (Hopcrofts Holt) improvements
- Junction 24 = Chilgrove Drive / B430 / Unnamed Road signalisation
- Junction 25 = Ardley Road / B430 signalisation

3.2.4 As part of their planning application, the Appellant appears to have elected not to assess the following sensitive junctions:

- Junction 1 = A43 / M40 Slip Road improvements
- Junction 4 = Baynards Green Roundabout improvements
- Junction 17 = A4260/B4030 (Hopcrofts Holt) improvements
- Junction 25 = Ardley Road / B430 signalisation

3.2.5 However, I would have expected the Appellant to have thoroughly analysed these junctions as part of their original Transport Assessment submission, as it is clear from the work that Dorchester Living undertook that these are the sensitive locations where congestion and severe impacts (framed against Paragraph 111 NPPF (CD F1) are likely to occur with the introduction of new speculative development.

3.2.6 Furthermore, as part of their planning application the Appellant failed to demonstrate whether the highways impact of their development, without the Heyford Park mitigation, can be adequately accommodated on the local highway network in terms of highway capacity and safety; in my opinion they have failed to demonstrate that their scheme would not trigger the need to deliver these junction improvements earlier.

3.2.7 Interestingly, this is further reinforced by OCC, who considered that because the site is adjacent to the development secured under the wider PV5 masterplan at Heyford Park allocation, work undertaken by OCC ([Appendix E](#)) has identified that the following highway mitigation will be required the following locations as shown on [Drawing DJF005](#):

- Junction 1 = A43 / M40 Slip Road improvements
- Junction 4 = Baynards Green Roundabout improvements
- Junction 7 = B430/A34 Junction
- Junction 11 = B4030/ unnamed Road
- Junction 17 = A4260/B4030 (Hopcrofts Holt) improvements
- Junction 24 = Chilgrove Drive / B430 / Unnamed Road signalisation
- Junction 25 = Ardley Road / B430 signalisation

3.2.8 Again, I would have expected the Appellant to have thoroughly analysed these junctions as part of their planning submission, as it is clear from the work that OCC also undertook, that these are indeed the most sensitive locations where congestion and severe impacts are likely to occur, which aligns with the impacts identified by Dorchester Living ([Drawing DJF004](#)).

3.2.9 This in my opinion, is a serious failing of OCC who, acting as Highway Authority, has not insisted on a consistent approach to the traffic impact assessment of the Appellant's scheme when compared to that requested of Dorchester Living.

3.2.10 Therefore, in the absence of a detailed junction capacity assessment that does not just rely upon Dorchester Living's mitigation, I fail to see how the Appellant demonstrated to the LHA and LPA during the determination period that the impacts of their development, in the absence of Dorchester Living's mitigation would not have a severe impact on highway capacity; in the absence of such work the reason for refusal, in my opinion, was correct.

### 3.3 Additional Junction Capacity Work

3.3.1 However, on 13<sup>th</sup> October 2023, the Appellant agreed to undertake further assessment of the more sensitive junctions, as identified by Dorchester Livings application:

- Junction 1/3 = A43 / M40 Slip Road improvements
- Junction 4 = Baynards Green Roundabout improvements
- Junction 17 = A4260/B4030 (Hopcrofts Holt) improvements
- Junction 25 = Ardley Road / B430 signalisation

3.3.2 The junction capacity results were issued on the evening of 30<sup>th</sup> October 2023 in a raft of individual Word documents, with very little explanation on the geometric modelling parameters applied, so deficient in meaningful assessment; they were not written into a formal technical note for ease of understanding and drew no discernible conclusions.

3.3.3 When reviewing junction capacity model outputs, the RFC (Ratio of Flow to Capacity) or Deg Sat (Degree of Saturation) is a key indicator of the likely performance of any given junction.

3.3.4 It is generally accepted that RFC of 0.90 or Deg Sat of 90% are the threshold for junctions to be operating satisfactorily; with increases in traffic flow beyond this point having a detrimental impact on the efficiency of flow through a junction, in fact beyond this point the reliability of the model's outputs significantly diminishes.

3.3.5 This is because beyond this practical capacity threshold, as the junction reaches its theoretical capacity and as noted, the results beyond are not considered reliable; and as such some form of mitigation should be considered or introduced to reduce values to below 0.90 or 90% respectively.

3.3.6 I set out my observations below in relation to those thresholds of each of those key sensitive junctions:

**Junction 3: A43 / M40 Slip Road improvements**

3.3.7 The Appellant presents summary results as shown in [Table DJF002](#) below (with full results contained in [Appendix F](#))

**Table DJF002: Junction 3 A43/M40 Slips: 2028 Base with 150 dwellings no mitigation**

Arm	AM			PM		
	RFC	Queue	Delay	RFC	Queue	Delay
A43	0.37	1	3	0.34	1	2
M40 Slips	0.87	8	18	0.90	9	21
B430	0.41	1	5	0.46	1	5

3.3.8 The results demonstrate with the introduction of their development and no mitigation, that the practical capacity of this junction will be breached with 150 residential units in the PM peak hour (17:00-18:00), showing RFC of 0.90 on M40 Slips, with a delay time of 21 seconds.

3.3.9 As such, the Appellant is reliant upon mitigation presented by Dorchester Living in this location as that mitigation is sufficient to mitigate the impact of all development (1,591 units plus the 230 units from the Appellant’s scheme) cumulatively. The results of which are summarised in [Table DJF 003](#), with results contained in [Appendix F](#))

**Table DJF003: Junction 3 A43/M40 Slips: 2031 Cumulative with mitigation scheme**

Arm	AM			PM		
	RFC	Queue	Delay	RFC	Queue	Delay
A43	83.8	14	17	65.0	9	10
M40 Slips	82.1	7	28	86.1	9	37
B430	63.6	8	10	85.8	18	17

**Junction 4: Baynards Green Roundabout improvement**

3.3.10 The Appellant presents summary results as shown in **Table DJF004** below (with full results contained in (**Appendix G**)).

**Table DJF004: Junction 4 Baynards Green: 2026 Base with 50 dwellings no mitigation**

Arm	AM			PM		
	RFC	Queue	Delay	RFC	Queue	Delay
A43 (n)	1.44	570	991	0.99	26	50
B4100 (e)	0.75	16	3	1.08	49	153
A43 (s)	1.03	52	82	1.43	604	995
B4100 (w)	0.40	1	10	0.33	1	9

3.3.11 **Table DJF004** demonstrates with the introduction of their development and no assumed mitigation, that the practical capacity of this junction will be breached with 50 residential units in both the AM (08:00-09:00) and PM peak (17:00-18:00) hours, showing RFC of 1.44 in the AM and 1.43 in the PM on A43 respectively. For context a queue of 604 vehicles would equate to a queue length of approximability 3.5km (assuming 6m per vehicle when queuing) and a delay time thought the junction of 16½ minutes.

3.3.12 The Appellant has not presented a solution; as such in the absence of identifying any form of mitigation to address the identified severe impact on the surrounding highway network, which is the key transportation test of the NPPF (CD ref F1),

3.3.13 However, whilst it is understood that there may be a scheme in this location as part of a nearby planning application immediately adjacent to that junction, there is no real reference or reliance upon it to solve the significant congestion identified by the Appellant.

**Junction 17 = A4260/B4030 (Hopcrofts Holt) improvements**

3.3.14 The Appellant presents summary results as shown in **Table DJF005** below (with full results contained in (**Appendix H**))

**Table DJF005: Junction 17 Hopcroft Holt: 2031 230 units no mitigation**

Arm	AM			PM		
	RFC	Queue	Delay	RFC	Queue	Delay
B4030 (e)	82.6	7	58	71.1	4	58
A4260 (s)	42.5	3	14	77.8	10	19
B4030 (w)	82.6	7	74	74.0	7	58
A4260 (n)	87.3	12	28	38.5	3	11

3.3.15 The results above demonstrates that with the introduction of their 230 units of development, that they would not be reliant upon any form of mitigation.

3.3.16 However, when looking at the cumulative impact with all the *consented* development (1,591 units plus the 230 units from the Appellants scheme); the mitigation identified by Dorchester Living is no longer sufficient.

Table DJF006: Junction 17 Hopcroft Holt: 2031 Cumulative with mitigation scheme

Arm	AM			PM		
	RFC	Queue	Delay	RFC	Queue	Delay
B4030 (e)	126.1	31	506	92.0	12	114
A4260 (s)	65.0	7	15	94.1	40	42
B4030 (w)	121.9	26	458	88.1	7	138
A4260 (n)	106.0	97	153	46.0	10	16

3.3.17 As shown in Table DJF006 the Hopcroft Holt junction will present a queue of 97 vehicles in the AM peak, would equate to a queue of approximately 0.6km on A4260 (n) and a delay time of approximately 7-8 minutes on the B4030 (e) and B4030 (w).

#### Junction 25: Ardley Road / B430 signalisation

3.3.18 The Appellant presents summary results as shown in Table DJF007 below (with full results contained in (Appendix I).

Table DJF007: Ardley Road/B430: 2031 230 units no mitigation

Arm	AM			PM		
	RFC	Queue	Delay	RFC	Queue	Delay
Ardley Road (e)	0.5	1	29	0.32	1	17
B430 (n)	0.07	0	9	0.09	0	8
Ardley Road (w)	0.38	1	20	0.26	0	16
B430 (s)	0.29	1	7	0.21	1	5

3.3.19 The results above demonstrates that with the introduction of their 230 units of development, that the Appellant would not be reliant upon any form of mitigation.



However, when looking at the cumulative impact all development (1,591 units plus the 230 units from the Appellants scheme); the mitigation identified by is again no longer sufficient.

**Table DJF008: Ardley Road/B430: 2031 Cumulative with mitigation**

Arm	AM			PM		
	RFC	Queue	Delay	RFC	Queue	Delay
Ardley Road (e)	97.2	52	49	55.4	13	17
B430 (n)	94.8	8	177	86.8	9	102
Ardley Road (w)	57.8	14	12	89.4	36	29
B430 (s)	94.8	14	125	89.5	10	112

3.3.20 As shown in **Table DJF008**; for context a queue of 52 vehicles would equate to a queue of approximately 0.3km on the Ardley Road (e) and a delay time of 3 minutes on B430 (n).

**Summary**

3.3.21 In summary, it is clear that at the sensitive junctions identified by Dorchester Living and OCC (that the original Transport Assessment failed to consider) the Appellant’s scheme:

- will be reliant upon mitigation identified by Dorchester Living at M40/B430 Ardley roundabout (Junction 3), once they deliver 150 units, anticipated to be 2028;
- has not identified adequate mitigation at Baynards Green roundabout (Junction 4), which will be required once the development delivers 50 units, anticipated to be 2026; and
- that the mitigation identified by Dorchester Living to accommodate the PV5 allocation will be in excess of capacity with the cumulative impact all development (1,591 units plus the 230 units from the Appellant’s scheme) and will result in significant queuing at the Hopcrofts Holt junction (Junction 17) and the A430/Ardley Road junction (Junction 25); the Appellant has not achieved “nil detriment” in these locations.

3.3.22 As such, the reason for refusal and lack of a signed Section 106 agreement, in my opinion, was justified, and should be upheld and the Appeal dismissed.

3.3.23 As noted above, I am surprised that OCC maintain no objection (especially since this was provided in advance of the additional information provided to me on 30<sup>th</sup> October). I would urge that the inspector seeks the view of OCC upon this new material and if possible that they are invited to attend the inquiry to explain what appears, in my view, to be an inexplicable position.

3.3.24 However, should the Appeal be upheld, then the Appellant should be subject to a Grampian Condition restricting its delivery until the Dorchester Living mitigation has been delivered.

### 3.4 S106 Triggers and Mechanism for Delivery

- 3.4.1 Where it can be demonstrated that the mitigation identified (by others, such as Junctions 3 & 4) is sufficient to mitigate the traffic impacts of the Appellant's proposals, it would be expected that the Appellant would at least be making a proportionate financial contribution to the delivery of those measures and calculated on a pro-rata basis based on overall housing numbers and their associated vehicular trip generation as part of the wider PV5 allocation, at the time of writing and to my knowledge this exercise has not been completed.
- 3.4.2 Furthermore, the mitigation provided by Dorchester Living (and or others) that is required to make their development acceptable, the Appellant's scheme to would also need to be held back until such time as the mitigation were delivered (through Grampian Conditions for example).
- 3.4.3 Where the mitigation is not sufficient, then the Appellant should demonstrate how the site can be accommodated at all key junctions with further mitigation proposals.
- 3.4.4 I have set out in the table below the package of mitigation measures that have been deemed necessary for Dorchester Living to deliver as part of the Hybrid application (18/00825/HYBRID) at specified trigger points.

Table DJF 009: Mitigation and triggers relating to Dorchester Living (18/00825/HYBRID) application

Mitigation	Trigger
Rural Cycle Link S278 Scheme Package C	Prior to 35% = 542 Trips OR 12 months of Package A
Ardley Bucknell S278 Scheme Package D	Occupation of 40% (620 trips)
M40 Junction 10 Padbury	31 <sup>st</sup> March 2024 Limit 1,163 Trips (75%)
Safety Improvements Contribution No 2	100 <sup>th</sup> Occupation
Village Traffic Calming	10% commencement 90% 200 <sup>th</sup> Occupation
Junction Safety Improvements A4260/North Aston Road No1	Linked to Middleton Stoney bus gate
Northern/Chilgrove Bus Loop	Occupation of 40%
Local Weight Restrictions	10 % commencement 90% at 200 <sup>th</sup> Occupation
Rural Cycle Land Contribution	TBC
Middle Stoney Bus gate S278	10% at 620 trips 90% at 775 trips
Chilgrove Drive S278 Package A	40% Occupation (620 trips)
Camp Road East S278 Package B	Prior to Occupation of Area A
B430/Minor Road S278	Prior to 35% (542 trips)
Hopscroft Holt S278 Package E	500 <sup>th</sup> occupation
Package C	OR 12months of Chilgrove Drive Package A

3.4.5 From the above table, if approved, the full delivery of the Appellant's scheme for 230 units, with all sites being equal, will trigger the need to introduce as a minimum Safety Improvements Contributions, Village Traffic Calming, Local Weight Restrictions.

3.4.6 Provision should be made for the Appellant to provide those elements if the scheme comes forward in advance of Dorchester Living delivering such mitigation, and for contributing to the same if the schemes come together in parallel.

3.4.7 Similarly, the effect of the Appellant's scheme would mean that if it came forward before Dorchester Living's consented scheme, then it would mean 230 units would come forward in advance of the remaining triggers.

3.4.8 For example, the Hopcrofts Holt S278 (Junction 17), which cumulatively (1,591 units plus the 230 units from the Appellants scheme) the Appellant is reliant upon, the package would not be provided until 730 units have been occupied instead of 500 units as set out in Dorchester Living's Section 106 agreement.

- 3.4.9 The Appellant should be providing an appropriately proportionate contribution to ensure that such provision is delivered at the point in time deemed to be necessary and identified through detailed junction capacity assessment, via the process I have set out in Section 3.2 of this PoE.
- 3.4.10 Therefore, in the absence of a formal Section 106 agreement or satisfactory unilateral undertaking being entered into to deliver/contribute the items in **Table DJF009** then the reason for refusal should be upheld and the Appeal dismissed.

### 3.5 Delivery Trajectory

- 3.5.1 If additional speculative development is allowed to come forward in an uncoordinated way, then there will obviously be more traffic on the network, which would mean that the point at which mitigation is required will inevitably arrive sooner. Yet there is no mechanism within Dorchester Living's Section 106 agreement for delivering the infrastructure/mitigation any earlier than the trigger points that have been identified.
- 3.5.2 Therefore, the trajectory for delivery of the Appeal site alongside already consented development must be factored in for all highways and sustainable mitigation. Again, suitable Grampian conditions will also need to be imposed on rates of delivery for the Appellant's scheme.
- 3.5.3 However, if Grampian conditions are proposed by the Appellant preventing the Appeal proposals from coming forward until a time when mitigation is provided by others, then Mr Hutchinson in his evidence brings into question the immediate deliverability of the scheme and the contribution that it can make to housing land supply in the next 5 years.

### 3.6 Additional Highways Capacity

- 3.6.1 If NH and OCC, acting as Strategic Highway Authority and LHA, consider that vehicle movements from 230 units can be accommodated on the network without further mitigation, then if the Appeal were allowed, the triggers in the Hybrid Section 106 will need to be revisited to allow for these additional movements. For this reason, it is necessary in my opinion, that NH and OCC should be invited to attend the Inquiry to explain their position and to answer questions.

### 3.7 Vehicular Access

- 3.7.1 Vehicular access to the site is to be forged north off Camp Road, into the southern frontage of the site. The proposed site access junction is to be a new T-Junction with Camp Road, which directly ties into the proposed signalised Chilgrove Drive junction (Drawing 001 Hub Transport TA) as presented in drawing T19562.001 (**Appendix J**) and ties into a proposed traffic calming scheme to the west on Camp Road.

- 3.7.2 The access also includes footway provision on the western side for a 2.0m width with a shared footway/cycle provision on the eastern side at 3.0m, which appears to be the only investment in infrastructure for pedestrians and cyclists.
- 3.7.3 Camp Road is currently a 30mph road where it abuts the Appellant's boundaries, and the design appears to conform to the OCC Street Design Guide. However, it is noted from the submitted Transport Assessment that Camp Road has been subject to the greatest number of accidents in the most recent 5-year period (2016-2021). Of a total of 20 accidents, Camp Road has experienced a quarter of them.
- 3.7.4 The OCC residential design guidance states on page 14.5 section 14.28 ([Appendix K](#)) that:
- 'Where a Transport Assessment is required to be submitted and it recommends highway improvements to enable the development, then the feasibility layout and Stage 1 Safety Audit should always be included.'*
- 3.7.5 The NPPF is clear that new development should not have a significant adverse impact on the safety of the surrounding highway network. There is no evidence available to date that an independent Road Safety Audit (RSA1) has been undertaken on the proposed access design, which is unusual where there has been a significant incident of accidents.
- 3.7.6 However, at our meeting with the Appellant's transport consultant Mr Parker on 12<sup>th</sup> October 2023 he confirmed that they would be commissioning an independent RSA1 in advance of the Inquiry, which was presented to us on 30<sup>th</sup> October 2023; showing that the five safety issues identified in the audit can be adequately addressed.
- 3.7.7 It is disappointing that the Appellant's evidence base for key documents seems to only have been generated after the decision has been made to Appeal and it is surprising that the LHA were able to recommend approval in the absence of such information.

## 3.8 Sustainable Access

- 3.8.1 I refer to Mr Hutchison's evidence on the lack of integration to adjacent development proposed as part of the Appellant's proposal, a factor which is a startling deficiency in this proposal and contrary to the intent of PV5. The site is poorly integrated with nearby consented development and risks creating an isolated parcel with over-reliance upon the use of the private car.
- 3.8.2 Nonetheless, given the proximity of the site to the wider masterplan at Heyford Park in relation to the allocation, the proposed development will rely upon certain key PV5 sustainable infrastructure.

- 3.8.3 The Appellant's Transport Assessment makes very little reference to, nor does it commit to contribute to any of this proposed required infrastructure, which is a failing of the Appellant to acknowledge that their application is reliant upon these key pieces of infrastructure to meet the key test of delivering sustainable development for non-motorised users as set out in the NPPF.
- 3.8.4 Even at the point of access and internally, there is no reference as to whether the internal road layouts and access point will conform to the Government's LTN 1/20 cycle infrastructure design guide, which was in circulation from 27<sup>th</sup> July 2020 and the application submitted 29th December 2021.
- 3.8.5 Furthermore, there is no reference to the level of cycle provision that the development will deliver across the site. The scheme is regrettably devoid of otherwise appropriate linkages for non-car modes to the remainder of Heyford Park and beyond.
- 3.8.6 If it is demonstrated that the sustainable travel mitigation identified by others is sufficient to mitigate the transportation impacts of their development, it would still be expected that this Appellant would be making a proportionate contribution in line with those set out above. This accords with the principles of PV5 where all development contributed towards the infrastructure needs of the wider development.

### 3.9 Wider Masterplan Implications

- 3.9.1 As Mr Hutchison sets out in his PoE in the context of the principle of development (Issue 1), Policy Villages 5 requires a comprehensive and coordinated approach and it amongst other things, expects a high degree of integration with development within the PV5 allocation. Given the comparative distance of the Appeal site from other settlements, it is difficult to see why the same principle would not apply in respect of the Appellant's proposals.
- 3.9.2 Furthermore, the illustrative masterplan shows primary vehicular, pedestrian and cycle access to the south onto Camp Road and an additional pedestrian and cycle access point onto Chilgrove Drive to the east (which will be incredibly difficult to achieve). With the approved Dorchester Living Application (18/00825/HYBRID) sitting to the north of the parcel of land subject to Pye Homes' planning permissions and current David Wilson Homes Application for 126 dwellings which is still pending determination (ref. 22/03063/F), there is concern that this speculative, unallocated development proposals have given very little consideration of holistic sustainable integration to the wider masterplan for pedestrians and/or cyclists.
- 3.9.3 The Appeal site itself has been poorly designed as a large cul-de-sac with a single point of access in and out for vehicles. There are no proposed connections to the west, where the main facilities are located, or to the north. The north-western part of the Appeal scheme is particularly isolated as a result with no meaningful connectivity and integration with the new settlement community, as shown in **Drawing DJF006**. Thereby potentially encouraging further reliance upon the use of the private car for local trips given the distance required to make journey to existing infrastructure.

- 3.9.4 The Appeal scheme further fails to provide routes which would be desirable to residents trying to travel to amenities within the wider Heyford Park village. Routeing via low speed residential roads through the Pye / David Wilson Homes schemes would be more desirable than routeing along the well trafficked route of Camp Road to the southern boundary of the Appellants scheme. The Appellant has failed to engage with neighbouring sites to promote such pedestrian enhancements, rather all pedestrians journeys must travel via Camp Road to the south.
- 3.9.5 This lack of a comprehensive and co-ordinated approach in this case represents a lack of regard for sustainability even at this Outline application stage and it gives rise to a form of development that fails to achieve the required levels of integration and connectivity, which unless cannot be overcome at the Reserved Matters stage.

## 4. Conclusion

### 4.1 Overview

4.1.1 I conclude that the Appellant's submitted Transport Assessment site was not undertaken in a consistent approach to other PV5 applications, and as such in its submitted form it was not possible in my opinion, to adequately determine if the Appellant's application will/or will not have a severe residual impact in terms of safety and capacity on the surrounding highway network, for reasons that I summarise below.

### 4.2 Summary

4.2.1 OCC who, acting as LHA, has not insisted on a consistent approach to transportation assessment of the Appellant's scheme when compared to that requested of Dorchester Living.

4.2.2 As part of this Appeal process, detailed junction capacity assessments at sensitive locations and without reliance on Dorchester Living's mitigation has been undertaken as well as further cumulative assessment (1,591 units plus the 230 units from the Appellant's scheme).

4.2.3 The results of which have demonstrated that the Appellant has not identified suitable mitigation and could be considered to have a severe residual impact on highway capacity and that where the scheme does rely on the mitigation of others, without Section 106 contributions, it could be considered a parasitic application, and should therefore:

- be expected that the Appellant would at least be making a proportionate contribution to the delivery of those measures;
- that the Appellants scheme should be held back until such time as the mitigation were delivered, through an appropriate Grampian Condition; and
- should present appropriate mitigation at all key/sensitive locations.

4.2.4 In the absence of detailed mitigation, a formal Section 106 agreement or a satisfactory unilateral undertaking not being entered into, I fail to see how the development has demonstrated that their mitigation is sufficient to make the development acceptable. It would conflict with the principles of PV5 which expects additional greenfield development to contribute towards the infrastructure requirements of the wider scheme.

4.2.5 As of 31<sup>st</sup> October 2023, the Appellant has not confirmed in writing or progressed Section 106 contributions with Highways Officers at OCC, and as such I fail to see how CDC were able to enter into a Statement of Common Ground stating a no objection to Highways matters on 2<sup>nd</sup> October 2023 with a lack of firm Section 106 commitment or reasonable evidence base to justify such contributions.

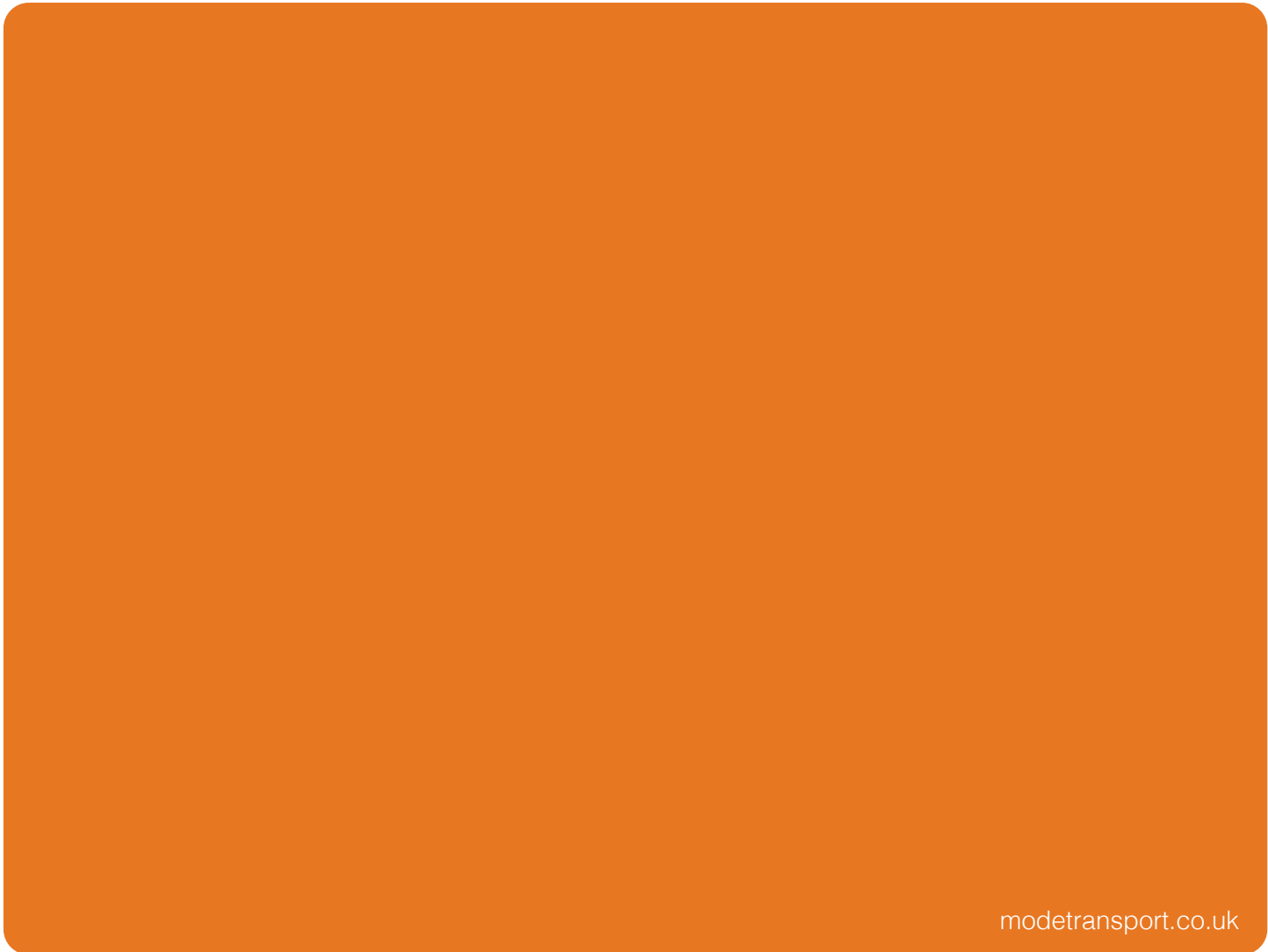


## OS Parcel 157- Adjoining and West Chilgrove Drive and Adjoining and North of, Camp Road, Heyford Park

Section 78 Appeal by: Richborough Estates, Lone Star Land Ltd, K and S Holford, A and S Dead, NP Giles and A L C Broadberry

4.2.6 Therefore, in the absence of all the above, the reason for refusal should be upheld and the Appeal dismissed.

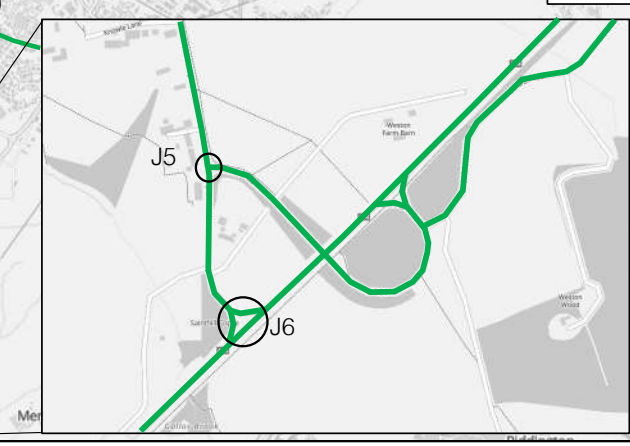
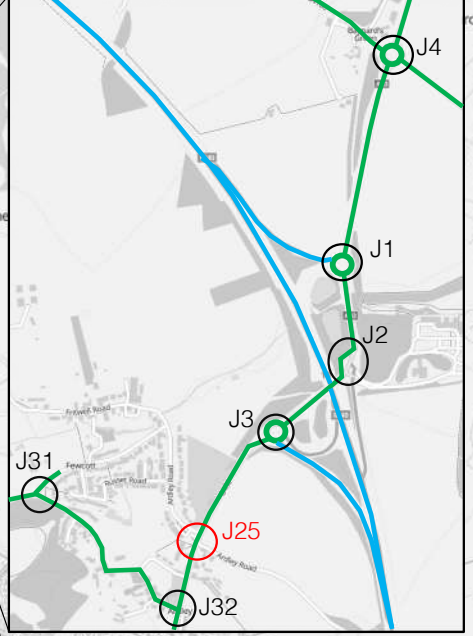
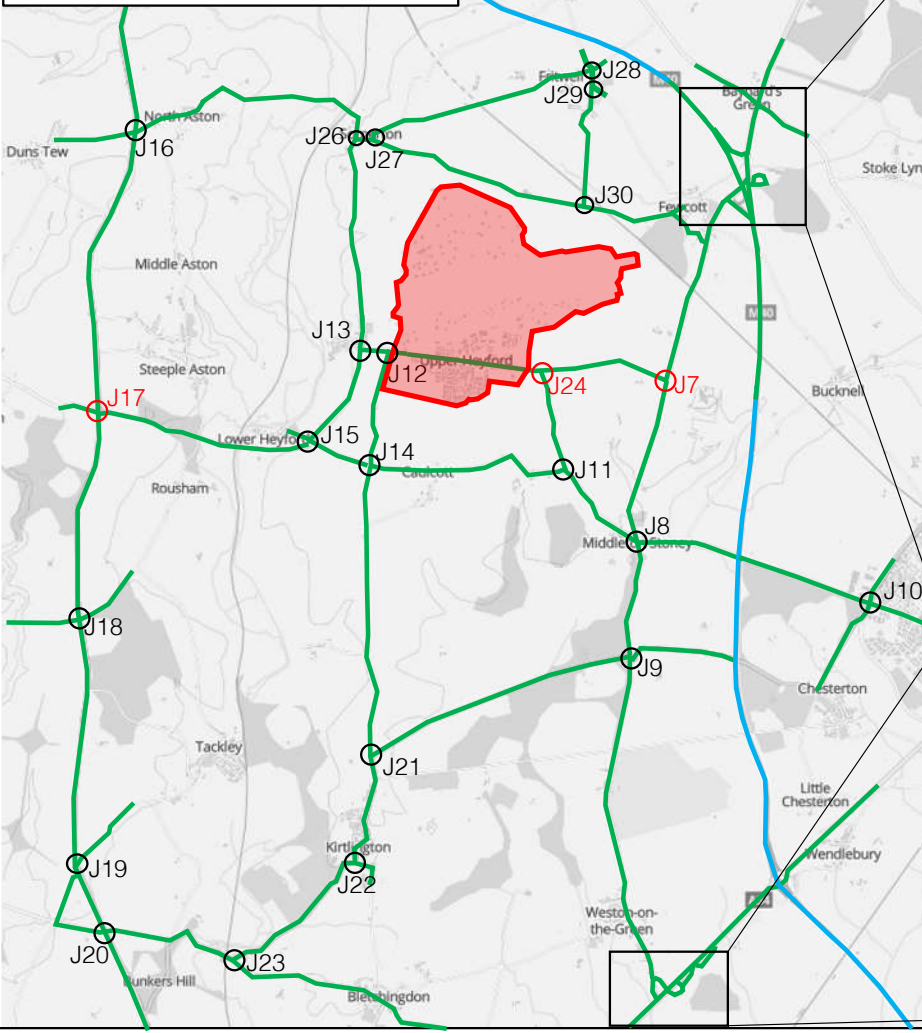
# DRAWINGS





- 1 A43 / M40 Slip Road
- 2 Cherwell Roundabout
- 3 Ardley Roundabout
- 4 Baynards Green Roundabout
- 5 Northampton Road / B430 Roundabout
- 6 B430 / A34 Junction
- 7 B430 / Unnamed Road Junction
- 8 B4030 / B430 Middleton Stoney Junction
- 9 A4095 / B430 Junction
- 10 A4095 / B4030 Junction
- 11 B4030 / Unnamed Road Junction
- 12 Camp Road / Kirtlington Road Junction
- 13 Camp Road / Somerton Road Junction
- 14 B4030 / Port Way Junction
- 15 Station Road / B4030 Junction
- 16 A4260 / Somerton Road Junction
- 17 A4260 / B4030 (Hopcrofts Holt) Junction
- 18 A4260 / Unnamed Road Junction
- 19 A4260 / Banbury Road / Unnamed Road Junction
- 20 A4260 / B4027 Junction
- 21 A4095 / Port Way Junction
- 22 A4095 / Bletchington Road Junction
- 23 A4095 / A4095 Junction
- 24 Camp Road / Chillgrove Drive Junction
- 25 B430 / Ardley Road Junction
- 26 Water Street / Ardley Road Junction
- 27 Fritwell Road / Ardley Road Junction
- 28 North Street / East Street Junction
- 29 East Street / Fewcott Road Junction
- 30 Ardley Road / Somerton Road / Raghouse Lane Junction
- 31 Somerton Road / Water Lane Junction
- 32 B430 Station Road / Church Road Junction

### OCC Mitigation Junctions



**Key**

- Site Location
- Study Area
- Junction ID
- Mitigation Junctions

**Figure Title**  
DJF 002

**Project Title**  
Heyford Park

**Project Number**  
J327680

**Client**  
Dorchester Living

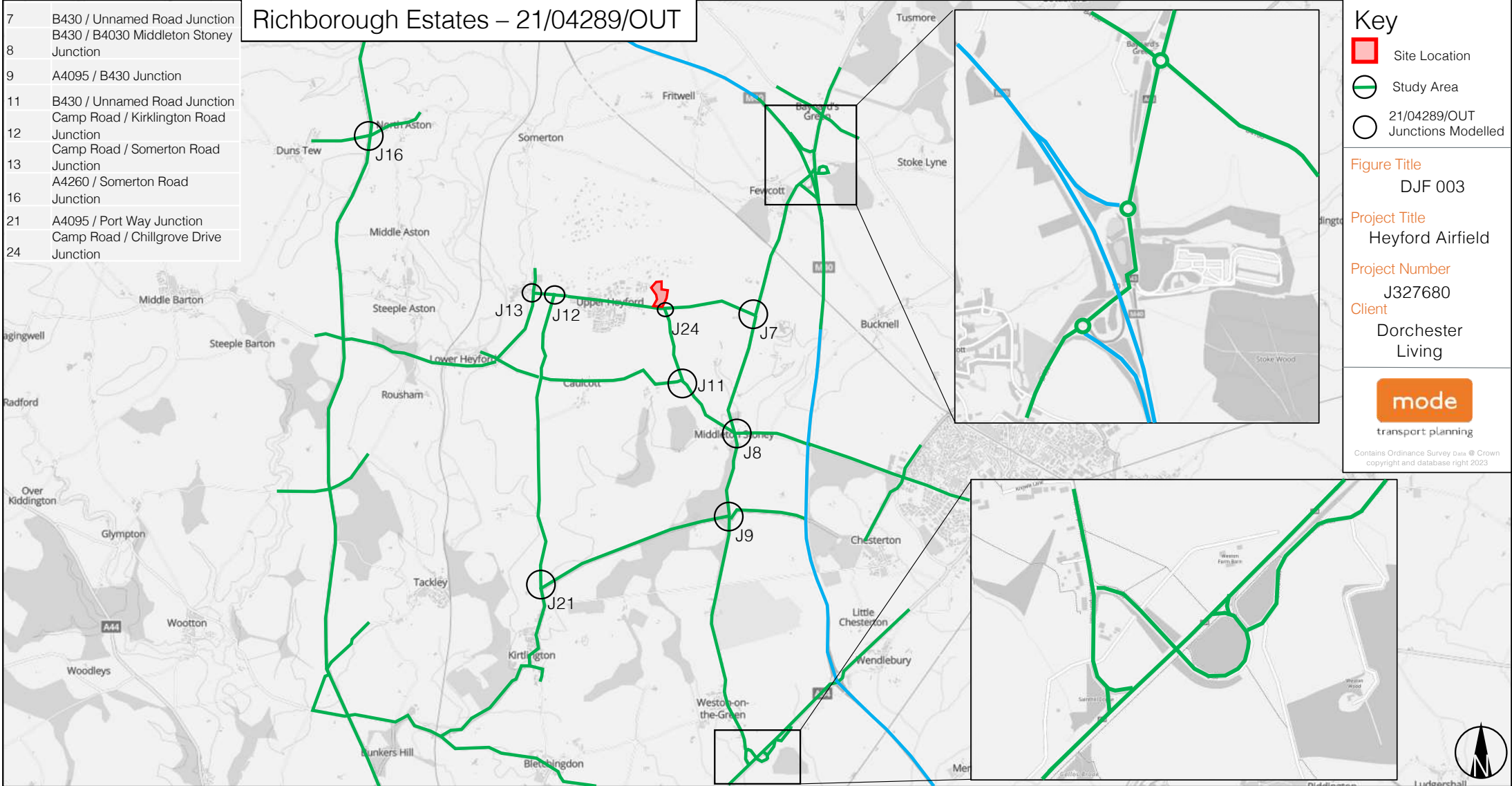
**mode**  
transport planning

Contains Ordnance Survey Data ©  
Crown copyright and database right  
2023



# Richborough Estates – 21/04289/OUT

- 7 B430 / Unnamed Road Junction
- 8 B430 / B4030 Middleton Stoney Junction
- 9 A4095 / B430 Junction
- 11 B430 / Unnamed Road Junction
- 12 Camp Road / Kirklington Road Junction
- 13 Camp Road / Somerton Road Junction
- 16 A4260 / Somerton Road Junction
- 21 A4095 / Port Way Junction
- 24 Camp Road / Chillgrove Drive Junction



- ### Key
- Site Location
  - Study Area
  - 21/04289/OUT Junctions Modelled

**Figure Title**  
DJF 003

**Project Title**  
Heyford Airfield

**Project Number**  
J327680

**Client**  
Dorchester Living

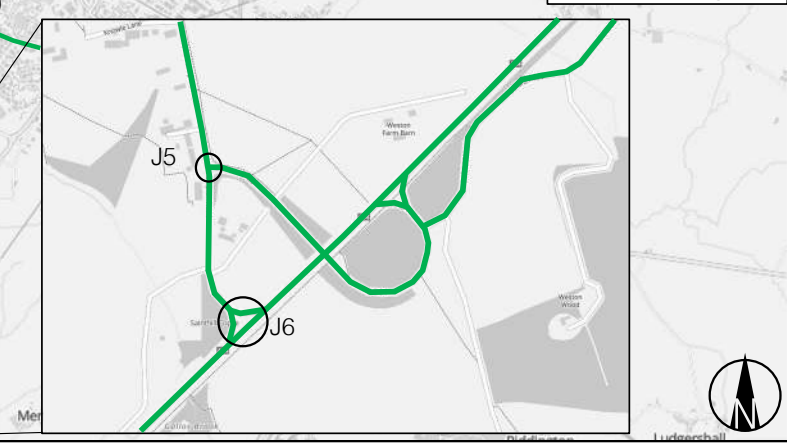
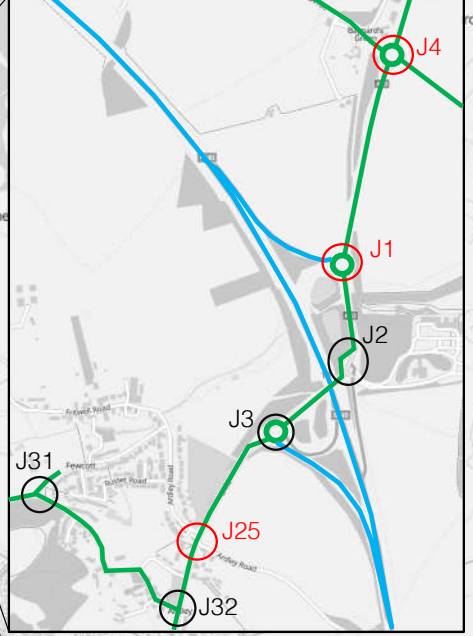
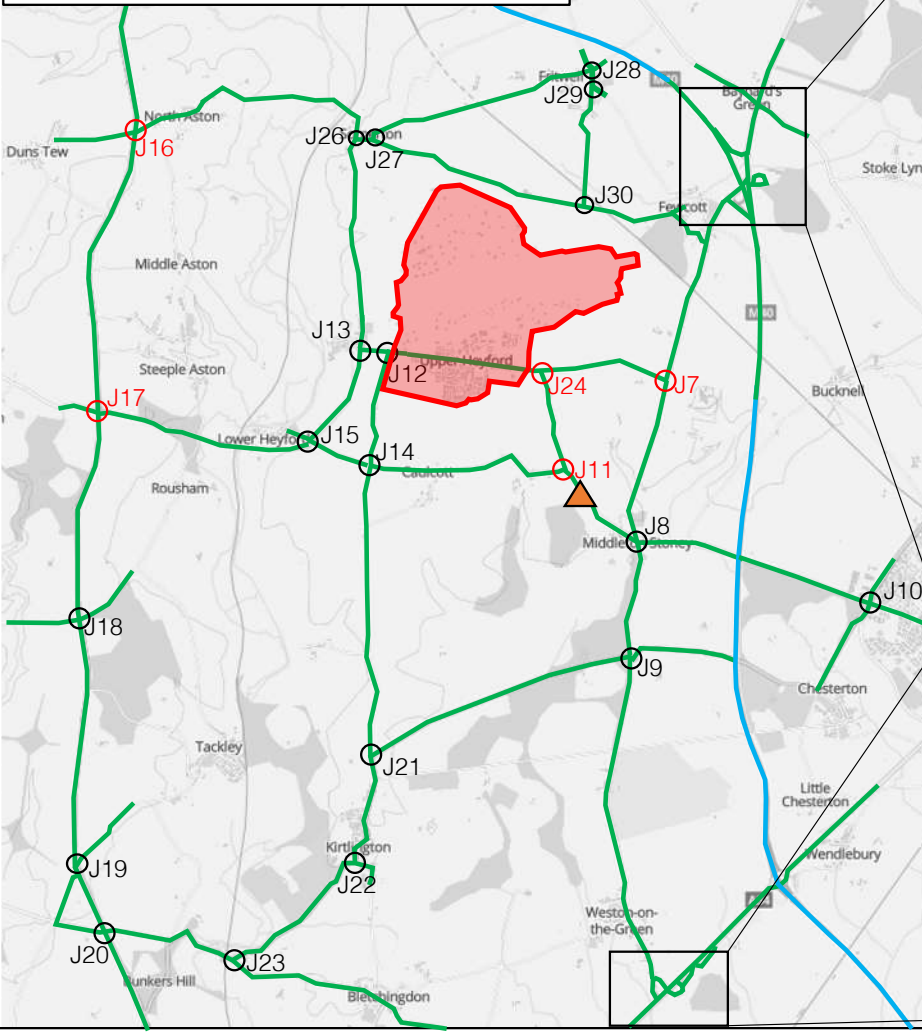
**mode**  
transport planning

Contains Ordnance Survey data © Crown copyright and database right 2023



- 1 A43 / M40 Slip Road
- 2 Cherwell Roundabout
- 3 Ardley Roundabout
- 4 Baynards Green Roundabout
- 5 Northampton Road / B430 Roundabout
- 6 B430 / A34 Junction
- 7 B430 / Unnamed Road Junction
- 8 B4030 / B430 Middleton Stoney Junction
- 9 A4095 / B430 Junction
- 10 A4095 / B4030 Junction
- 11 B4030 / Unnamed Road Junction
- 12 Camp Road / Kirtlington Road Junction
- 13 Camp Road / Somerton Road Junction
- 14 B4030 / Port Way Junction
- 15 Station Road / B4030 Junction
- 16 A4260 / Somerton Road Junction
- 17 A4260 / B4030 (Hopcrofts Holt) Junction
- 18 A4260 / Unnamed Road Junction
- 19 A4260 / Banbury Road / Unnamed Road Junction
- 20 A4260 / B4027 Junction
- 21 A4095 / Port Way Junction
- 22 A4095 / Bletchington Road Junction
- 23 A4095 / A4095 Junction
- 24 Camp Road / Chillgrove Drive Junction
- 25 B430 / Ardley Road Junction
- 26 Water Street / Ardley Road Junction
- 27 Fritwell Road / Ardley Road Junction
- 28 North Street / East Street Junction
- 29 East Street / Fewcott Road Junction
- 30 Ardley Road / Somerton Road / Raghouse Lane Junction
- 31 Somerton Road / Water Lane Junction
- 32 B430 Station Road / Church Road Junction

## Dorchester Mitigation Junctions



### Key

- Site Location
- Study Area
- Junction ID
- Mitigation Junctions
- Potential location of the Bus Gate

---

Figure Title  
DJF 004

Project Title  
Heyford Park

Project Number  
J327680

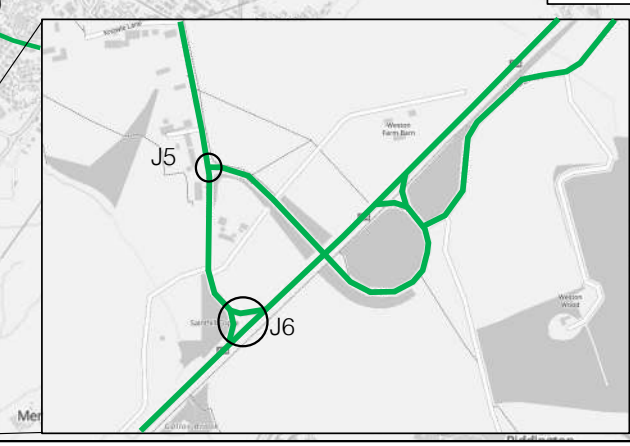
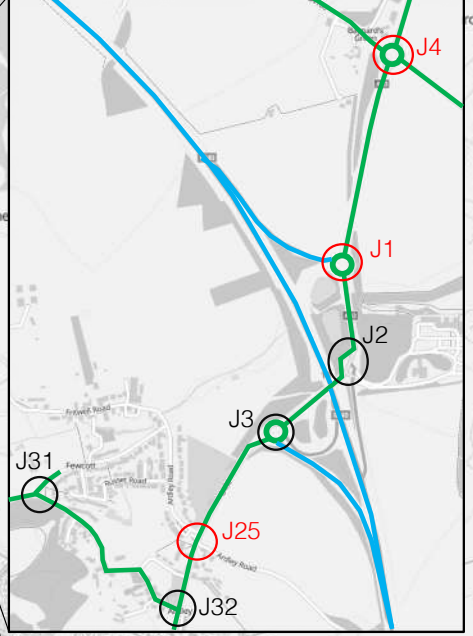
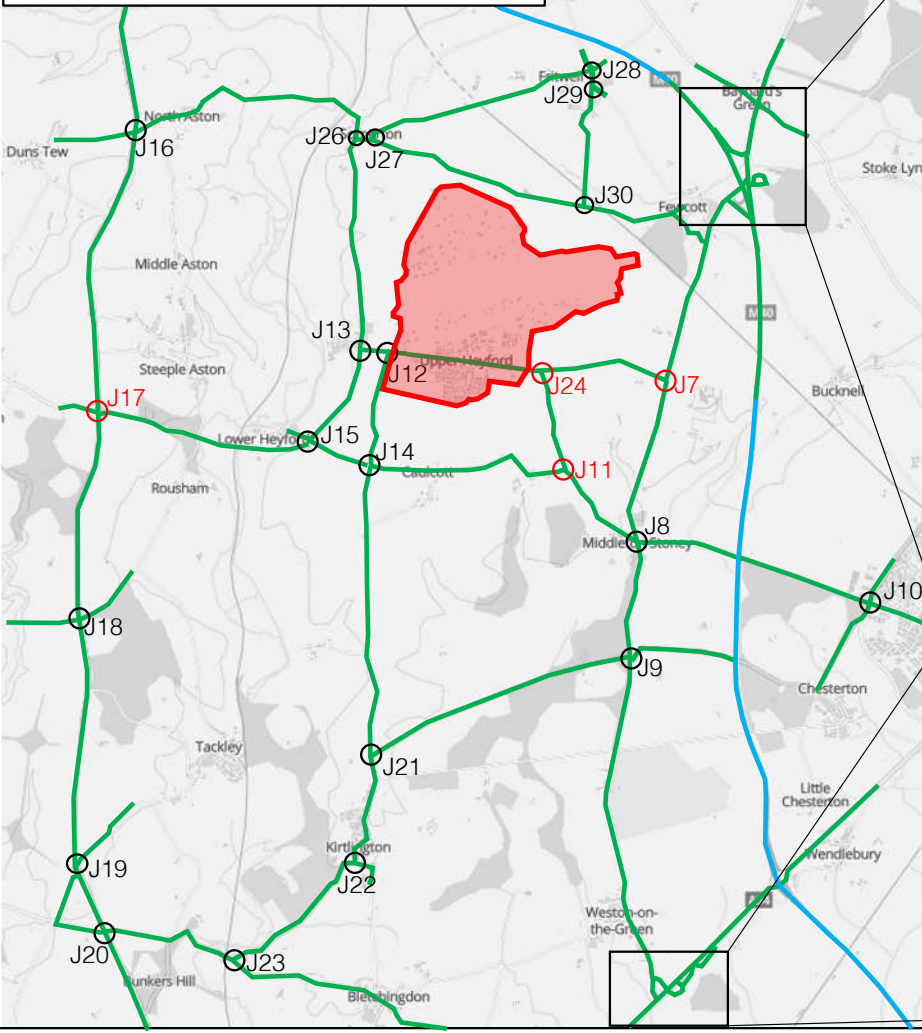
Client  
Dorchester Living

Contains Ordnance Survey Data @ Crown copyright and database right 2023



- 1 A43 / M40 Slip Road
- 2 Cherwell Roundabout
- 3 Ardley Roundabout
- 4 Baynards Green Roundabout
- 5 Northampton Road / B430 Roundabout
- 6 B430 / A34 Junction
- 7 B430 / Unnamed Road Junction
- 8 B4030 / B430 Middleton Stoney Junction
- 9 A4095 / B430 Junction
- 10 A4095 / B4030 Junction
- 11 B4030 / Unnamed Road Junction
- 12 Camp Road / Kirtlington Road Junction
- 13 Camp Road / Somerton Road Junction
- 14 B4030 / Port Way Junction
- 15 Station Road / B4030 Junction
- 16 A4260 / Somerton Road Junction
- 17 A4260 / B4030 (Hopcrofts Holt) Junction
- 18 A4260 / Unnamed Road Junction
- 19 A4260 / Banbury Road / Unnamed Road Junction
- 20 A4260 / B4027 Junction
- 21 A4095 / Port Way Junction
- 22 A4095 / Bletchington Road Junction
- 23 A4095 / A4095 Junction
- 24 Camp Road / Chillgrove Drive Junction
- 25 B430 / Ardley Road Junction
- 26 Water Street / Ardley Road Junction
- 27 Fritwell Road / Ardley Road Junction
- 28 North Street / East Street Junction
- 29 East Street / Fewcott Road Junction
- 30 Ardley Road / Somerton Road / Raghouse Lane Junction
- 31 Somerton Road / Water Lane Junction
- 32 B430 Station Road / Church Road Junction

## OCC PV5 Mitigation Junctions



### Key

- Site Location
- Study Area
- Junction ID
- Mitigation Junctions

---

Figure Title  
DJF 005

Project Title  
Heyford Park

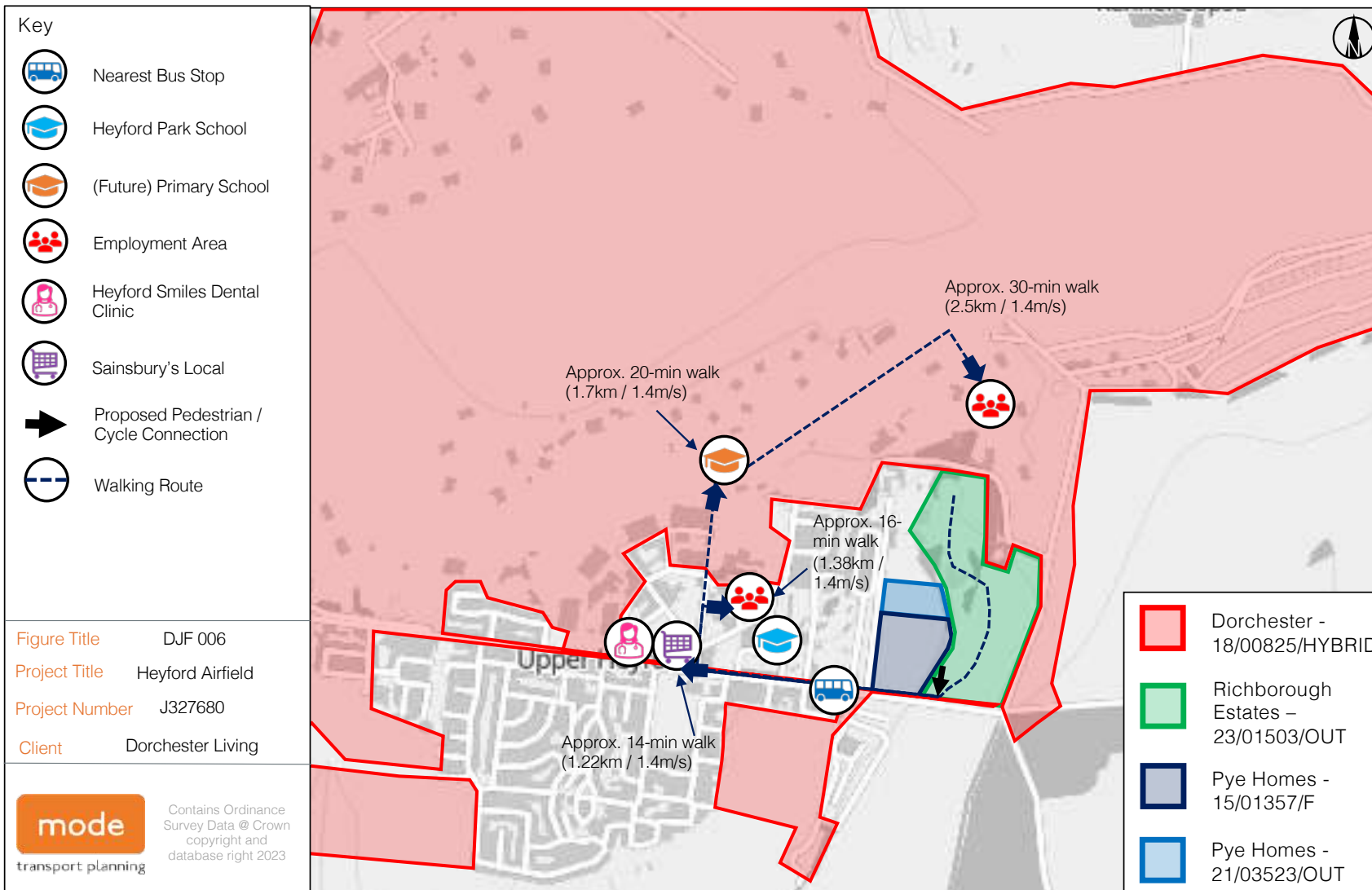
Project Number  
J327680

Client  
Dorchester Living

mode  
transport planning

Contains Ordnance Survey Data ©  
Crown copyright and database right  
2023







Dorchester Group

## OS Parcel 157- Adjoining and West Chilgrove Drive and Adjoining and North of, Camp Road, Heyford Park

Section 78 Appeal by: Richborough Estates, Lone Star Land Ltd, K and S Holford, A and S Dead, NP Giles and A L C Broadberry

mode

transport planning

# APPENDICES

Dorchester Group

## OS Parcel 157- Adjoining and West Chilgrove Drive and Adjoining and North of, Camp Road, Heyford Park

Section 78 Appeal by: Richborough Estates, Lone Star Land Ltd, K and S Holford, A and S  
Dead, NP Giles and A L C Broadberry



# APPENDIX A

20/05/2022 OCC Response

21-04289-OUT

**OXFORDSHIRE COUNTY COUNCIL'S RESPONSE TO CONSULTATION  
ON THE FOLLOWING DEVELOPMENT PROPOSAL**

**District:** Cherwell

**Application no:** 21/04289/OUT

**Proposal:** Outline planning application for the erection of up to 230 dwellings, creation of new vehicular access from Camp Road and all associated works with all matters reserved apart from Access

**Location:** West Of Chilgrove Drive And Adjoining And North Of Camp Road Heyford Park

**Response Date:** 20/05/2022

---

This report sets out the officer views of Oxfordshire County Council (OCC) on the above proposal. These are set out by individual service area/technical discipline and include details of any planning conditions or Informatives that should be attached in the event that permission is granted and any obligations to be secured by way of a S106 agreement. Where considered appropriate, an overarching strategic commentary is also included. If the local County Council member has provided comments on the application these are provided as a separate attachment.

---

**Assessment Criteria**  
**Proposal overview and mix /population generation**

OCC's response is based on a development as set out in the table below. The development is [taken from the application form] [is based on a SHMA mix].

<b>Residential</b>	
1-bed dwellings	28
2-bed dwellings	79
3-bed dwellings	100
4-bed & larger dwellings	42

Based on the completion and occupation of the development as stated above it is estimated that the proposal will generate the population stated below:

Average Population	560
Nursery children (number of 2- and 3-year olds entitled to funded places)	15
Primary pupils	70
Secondary pupils including Sixth Form pupils	55
Special School pupils	1.4
65+ year olds	60

**Application no: 21/04289/OUT**

**Location:** West Of Chilgrove Drive And Adjoining And North Of Camp Road Heyford Park

---

## **General Information and Advice**

### **Recommendations for approval contrary to OCC objection:**

If within this response an OCC officer has raised an objection but the Local Planning Authority are still minded to recommend approval, OCC would be grateful for notification (via [planningconsultations@oxfordshire.gov.uk](mailto:planningconsultations@oxfordshire.gov.uk)) as to why material consideration outweighs OCC's objections, and to be given an opportunity to make further representations.

### **Outline applications and contributions**

The anticipated number and type of dwellings and/or the floor space may be set by the developer at the time of application which is used to assess necessary mitigation. If not stated in the application, a policy compliant mix will be used. The number and type of dwellings used when assessing S106 planning obligations is set out on the first page of this response.

In the case of outline applications, once the unit mix/floor space is confirmed by reserved matters approval/discharge of condition a matrix (if appropriate) will be applied to establish any increase in contributions payable. A further increase in contributions may result if there is a reserved matters approval changing the unit mix/floor space.

### **Where a S106/Planning Obligation is required:**

- **Index Linked** – in order to maintain the real value of S106 contributions, contributions will be index linked. Base values and the index to be applied are set out in the Schedules to this response.
- **Administration and Monitoring Fee - TBC**  
This is an estimate of the amount required to cover the monitoring and administration associated with the S106 agreement. The final amount will be based on the OCC's scale of fees and will be adjusted to take account of the number of obligations and the complexity of the S106 agreement.
- **OCC Legal Fees** The applicant will be required to pay OCC's legal fees in relation to legal agreements. Please note the fees apply whether a S106 agreement is completed or not.

**Security of payment for deferred contributions** - Applicants should be aware that an approved bond will be required to secure a payment where a S106 contribution is to be paid post implementation and

- the contribution amounts to 25% or more (including anticipated indexation) of the cost of the project it is towards and that project cost £7.5m or more
- the developer is direct delivering an item of infrastructure costing £7.5m or more
- where aggregate contributions towards bus services exceeds £1m (including anticipated indexation).

A bond will also be required where a developer is direct delivering an item of infrastructure.

The County Infrastructure Funding Team can provide the full policy and advice, on request.

**Application no: 21/04289/OUT**

**Location:** West Of Chilgrove Drive And Adjoining And North Of Camp Road Heyford Park

---

### **Strategic Comments**

This application seeks permission for up to 230 dwellings, vehicular access and associated works. The site is unallocated and is located adjacent to a site allocated in the Adopted Local Plan under Policy Villages 5 Former RAF Upper Heyford for 1,600 homes and other supporting infrastructure. Other policies in the Adopted Local Plan may also apply.

The County Council is raising a Lead Local Flood Authority objection. Also attached are detailed comments from Transport, Education, Infrastructure Funding, Archaeology and Waste Management teams.

**Officer's Name: Jonathan Wellstead**

**Officer's Title:** Principal Planner

**Date:** 20 May 2022

**Application no: 21/04289/OUT**

**Location:** West Of Chilgrove Drive And Adjoining And North Of Camp Road Heyford Park

---

## Transport Schedule

### Recommendation

**No objection** subject to the following.

- **S106 Contributions** as summarised in the table below and justified in this Schedule.
- **An obligation to enter into a S278** agreement as detailed below.
- **Planning Conditions** as detailed below.
- Note should be taken of the **informatives** stated below.

### S106 Contributions

<b>Contribution</b>	<b>Amount £</b>	<b>Price base</b>	<b>Index</b>	<b>Towards</b>
Highway works	<b>To be determined</b>	To be determined	Baxter	Delivery of the Cherwell Local Plan Policy Villages 5 highway mitigation package.
Public transport services	<b>260,590</b>	Dec 2021	RPI-x	Ongoing funding to support and enhance the 250 bus route
Travel Plan Monitoring	<b>1,446</b>	Dec 2021	RPI-x	County monitoring of residential travel plan

### Key points

- A highway works contribution will be required
- A public transport services contribution will be required.
- A Construction Traffic Management Plan will be required.
- A full Residential Travel Plan will be required.

### Comments

#### Transport Strategy

There are no Public Rights of Way, NCN or LCWIP routes in the vicinity of the proposed site. Planning for cycling/walking, space for cycling within highways, transitions between carriageways, cycle lanes and cycle tracks, junctions and

crossings, cycle parking and other equipment design within the development site should follow the LTN 1/20 guidance.

The electric vehicle parking and charging provision must align with the 2020 Oxfordshire Electric Vehicle Infrastructure Strategy ensuring sufficient spaces are both dedicated to electric vehicles, the minimum number of charging points are provided but more importantly the infrastructure is prepared to allow for future increased demand without significant interruption.

### **Public Transport**

The 250 bus route serves Camp Road which is currently in receipt of financial support via S106 contributions from the developments it serves at Heyford. Ongoing funding is required to support and enhance this route to become an attractive, credible alternative to car use and to help attain a high modal share for sustainable transport from new developments in the area. The route is to be enhanced to provide a frequency of up to four buses per hour between Heyford Park and Bicester.

Contributions are sought from developments along the route at an established rate which is currently £1,133 per dwelling as at December 2021. This contribution rate varies from that set out in the pre-application advice offered under 21/01745/Preapp due to annual re-indexation at the end of 2021.

This funding will pay for the enhancement of the route on a declining subsidy basis, aiming to establish an improved service that will in time become financially self-sustaining through its improved attractiveness and growth in population.

Bus service contribution required from this development is **£260,590** based on a development proposal of 230 dwellings and a contribution rate per dwelling of £1,133. Additional contributions at the same rate will be required in the event of additional dwellings being approved.

The bus route to Bicester currently operates along Camp Road, to the south of this site. As the adjacent Heyford Park development continues, the route will change to use an upgraded Chilgrove Drive, to the east of this site. The proposed upgrade of Chilgrove Drive will include integrated bus stops at intervals along its length. Two of these will be close to this site and there is therefore no requirement from this development for any S278 works or S106 contribution for bus stop works.

### **Transport Development Control**

The planning application is accompanied by a Transport Assessment which is considered to be a suitable level of submission given the proposed quantum of development.

The Transport Assessment uses output from the Bicester traffic Model together with trip rates from the Heyford Park Policy Villages 5 (PV5) planning application (18/00825/HYBRID) to examine the impact of the development proposals on 26 road



junctions on the road network surrounding the study area. An initial impact analysis results in nine junctions, including the proposed site access junction, being selected for more detailed capacity analysis.

Detailed junction capacity analysis using proprietary software reveals that the development traffic has little discernible effect on the operation of the junctions under scrutiny. This analysis is considered sound.

It is important to note that the traffic analysis described above has been undertaken assuming that the highway mitigation package that accompanies the Cherwell Local Plan PV5 allocation will be in place when this development comes forward. These development proposals therefore benefit from that highway mitigation package. For the avoidance of doubt, the main components of that mitigation package are as follows.

- Capacity improvements at the junction of the A4260 / B4030 (Hopcrofts Holt);
- Signalisation of the junction of Ardley Road and the B340 at Ardley;
- Signalisation of the junction of Chilgrove Drive / B430 / unnamed road;
- Signalisation of the junction of unnamed road / B430;
- Bus loop and HGV access within PV5 masterplan area;
- New crossing of Camp Road near Heyford Free School;
- Improvements to Camp Road;
- Cycle route alongside unnamed road to B430.

Given the proximity of this site to the PV5 allocation and the adjacent Pye Homes sites (15/01357/F, 21/03523/OUT), all of which will contribute to the funding of the PV5 highway mitigation package, it is expected that this site will also make a contribution to the delivery of that package. The contribution will be included in the S106 agreement and will be calculated on a pro-rata basis according to the overall cost of the PV5 highway mitigation package and the relative size of the various developments that it mitigates. The calculation and the resulting contribution required by this development will be identified in due course.

Given the location and scale of the development proposals a Construction Traffic Management Plan will be required. This should be developed using the County's guidance checklist and can be submitted in discharge of a condition of planning permission.

### **Travel Plans**

Based on a quantum of 230 residential units the development will require a full Residential Travel Plan together with a monitoring fee of £1,426. This requirement is set out in detail in the Oxfordshire County Council guidance document Transport for New Developments Transport Assessments and Travel Plans (March 2014). This could be achieved in one of two ways, as follows.

- The site could be included in the emerging Heyford Park Travel Plan currently being developed by the Dorchester Group.

- A stand alone Travel Plan for the site could be developed. This would need to align closely with the emerging Heyford Park Travel Plan.

If a stand alone Travel Plan is chosen then the Travel Plan that has been submitted with this application will need to be updated prior to its approval. This updated plan will need to be aligned with the actions in the updated framework travel plan for the wider Heyford Park development site currently being produced by Dorchester Group. The Travel Plan should set out an indicative budget for the delivery of the measures proposed in the plan and how this will be secured for the travel plan co-ordinator to deliver them.

The Travel Plan can be provided in discharge of a condition of planning permission.

To support active travel for the new residents a Travel Information Pack will be required. This pack should have information regarding local services, promotion and details of the local walking and cycling routes and information on the local public transport networks. Details of the requirements for this pack can be obtained from the Travel Plans team at Oxfordshire County Council.

### **Rights of Way**

Although there are no public rights of way (PRoW) on this site, Chilgrove Drive lies to the east and the site will connect to it in two places. In addition the site lies between Camp Road and Chilgrove Drive. The following requests are made.

- A preferably traffic-free cycle and walk route needs to be provided to and from Camp Road to enable residents and others in the area to safely journey from the village centre to the site and beyond to Chilgrove Drive and Aves Ditch bridleway.
- The County is concerned about the timing of this application and the reliance that is placed on the larger airbase extension application and the associated works to create a staggered signalised junction, including safe NMU crossing and works to Chilgrove Drive. That application and new Chilgrove Drive access works should be complete before this site is occupied.
- A route between Camp Road at the far south-western point of the site and Chilgrove Drive needs to be provided before works on the site commence, and should be maintained during construction. This is so that the public can still safely access Chilgrove Drive without having to use the carriageway. This should be provided for in the S278 agreement.
- The onsite provision is noted. These routes should form part of the permanent public open space for the site. They should incorporate play and exercise stations along with facilities to increase confidence and use by more people. This could include trim trails, nature interaction zones, mountain bike trails, skateboard facilities

and wild play areas, as well as seating. This can be provided for at the Reserved Matters stage.

**S106 obligations and their compliance with Regulation 122(2) Community Infrastructure Levy Regulations 2010 (as amended)**

**£ To be determined Highway Works Contribution** indexed from XX using Baxter Index

**Towards**

Delivery of the Cherwell Local Plan Policy Villages 5 highway mitigation package.

**Justification**

These development proposals are adjacent to other development proposals which will contribute to the PV5 highway mitigation package and will benefit equally and proportionately from it.

**Calculation**

To be determined based on some measure of proportionality of impact of the contributing sites.

**£260,590 Public Transport Service Contribution** indexed from December 2021 using RPI-x

**Towards**

Ongoing funding to support and enhance the 250 bus route.

**Justification**

To create an attractive, credible alternative to car use and to help attain a high modal share for sustainable transport from new developments in the area.

**Calculation**

Contributions are sought from developments along this route at an established rate which is currently £1,133 per dwelling as at December 2021. Based on a development proposal of 230 dwellings and a contribution rate per dwelling of £1,133 the required bus service contribution is £260,590.

**£1,426 Travel Plan Monitoring Fee** indexed from December 2021 using RPI-x

**Justification**

To enable the County to monitor the effectiveness of the Travel Plan and implement changes if necessary.

**Calculation**

The fees charged are for the work required by Oxfordshire County Council to monitor a travel plan related solely to this development site. The work carried out by the monitoring officer will be to:

- review the survey data produced by the developer;
- compare it to the progress against the targets in the approved travel plan and census or national travel survey data sets;
- agree any changes in an updated actions or future targets in an updated travel plan.

Each of three biennial monitoring and feedback procedures (to be undertaken at years 1, 3 & 5 following first occupation) would require an expected 31 hours of officer time at £40 per hour. Total £1240 at March 2014 prices. Uplifted to December 2020 prices = £1,446.

### **S278 Highway Works**

An obligation to enter into a S278 Agreement will be required to secure mitigation/improvement works, as follows.

- New site access junction with Camp Road, as shown on drawing No.T19562.001.
- Pedestrian connections to Chilgrove Drive as indicated on Edge drawing No.374.P06.

### **Notes**

This is to be secured by means of S106 restriction not to implement development until S278 agreement has been entered into. The trigger by which time S278 works are to be completed shall also be included in the S106 agreement. Identification of areas required to be dedicated as public highway and agreement of all relevant landowners will be necessary in order to enter into the S278 agreements.

### **Planning Conditions**

In the event that permission is to be given, the following transport related planning conditions should be attached.

Prior to the commencement of the development a Construction Traffic Management Plan prepared in accordance with Oxfordshire County Council's checklist, must be submitted to and approved in writing by the local planning authority. The construction works must be carried out in accordance with the details approved in the Construction Traffic Management Plan.

Prior to first occupation on site an updated Travel Plan is submitted to and approved by the local planning authority. This plan should be produced in accordance with the Oxfordshire County Council guidance document Transport for New Developments, Transport Assessments and Travel Plans (March 2014).

### **Informative**

The Advance Payments Code (APC), Sections 219 -225 of the Highways Act, is in force in the county to ensure financial security from the developer to off-set the frontage

owners' liability for private street works, typically in the form of a cash deposit or bond. Should a developer wish for a street or estate to remain private then to secure exemption from the APC procedure a 'Private Road Agreement' must be entered into with the County Council to protect the interests of prospective frontage owners. Alternatively the developer may wish to consider adoption of the estate road under Section 38 of the Highways Act.

Prior to commencement of development, a separate consent must be obtained from the County's Road Agreements Team for the new highway vehicular access under S278 of the Highway Act. Contact: 01865 815700; RoadAgreements@oxfordshire.gov.uk.

**Officer's Name: Chris Nichols**

**Officer's Title:** Transport Development Control

**Date:** 11 May 2022

**Application no: 21/04289/OUT**

**Location:** West Of Chilgrove Drive And Adjoining And North Of Camp Road Heyford Park

---

## **Lead Local Flood Authority**

### **Recommendation:**

Objection

### **Key issues:**

- Explanation of potential SuDS features that will be considered for the proposed development.
- Provide ownership details of the watercourse and permission to connect the proposed drainage.
- Explanation of who will maintain the drainage system.
- Provide phasing plan.

### **Detailed comments:**

The potential SuDS features that could be considered during the detailed design has not been mentioned. Please provide a list of SuDS features that will be considered for the development.

Provide ownership details of the watercourse and confirm the capacity to connect the drainage at the proposed discharge rate. Also provide consent to connect the proposed drainage.

Confirm who will maintain the drainage system during the life span of the development.

Provide a phasing plan which the development will adhere to during reserved matter. The development should be phased such that the drainage can stand alone without the need of relying on other phases in order to mitigate flood risk. Explanation required on how the site will adequately consider flood risk at all stages of the development.

**Officer's Name: Kabier Salam**

**Officer's Title:** LLFA Engineer

**Date:** 13/04/2022

**Application no: 21/04289/OUT**

**Location: West Of Chilgrove Drive And Adjoining And North Of Camp Road Heyford Park**

---

### **Education Schedule**

**Recommendation:**

**No objection subject to:**

- **S106 Contributions** as summarised in the tables below and justified in this Schedule.
- A **S106 obligation** is required that the site will not implement until planning application 18/00825/HYBRID has implemented, and detailed planning permission has been granted for the new primary school accommodation.

Contribution	Amount £	Price base	Index	Towards (details)
<b>Primary and nursery education</b>	<b>£1,604,630</b>	<b>327</b>	BCIS All-In TPI	Primary education capacity serving the development
<b>Primary School Land Contribution</b>	<b>£151,640</b>	<b>Nov-20</b>	RPIX	Contribution towards primary school land
<b>Secondary education</b>	<b>£1,195,632</b>	<b>327</b>	BCIS All-In TPI	Secondary education capacity serving the development
<b>SEN</b>	<b>£125,637</b>	<b>327</b>	BCIS All-In TPI	SEN capacity serving the development
<b>Total</b>	<b>£ 3,080,539</b>			

### **S106 obligations and their compliance with Regulation 122(2) Community Infrastructure Levy Regulations 2010 (as amended):**

**£1,604,630 Primary and Nursery School Contribution indexed from TPI = 327**

**Justification:**

A 1.5 form entry school is planned to accommodate the pupils generated by the parcels of land in the Heyford Park masterplan. As this school is expected to be filled by these

parcels, it would need to be expanded to 2 forms of entry in order to accommodate the pupils generated by this proposed development.

**Calculation:**

Number of primary and nursery pupils expected to be generated	85
Estimated cost of primary school expansion	£18,878
Pupils * cost =	<b>£1,604,630</b>

**£151,640 Primary School Land Cost Contribution**

This development should contribute in a fair and proportionate manner to the land required for the primary school.

Oxfordshire County Council's standard land requirement for a 2 form entry primary school, with 510 primary and nursery pupils, is 2.22 ha, and standard education land value per ha = £409,761 (Nov-20). The total school land value is £909,669 (£409,761 x 2.22), equivalent to £1,784 per pupil.

This application is expected to generate 85 nursery and primary pupils. At £1,784 per pupil this equates to £151,640 land cost contribution.

**£1,195,632 Secondary School Contribution indexed from TPI = 327**

**Justification:**

As a result of permitted development at Heyford Park, it will be necessary to expand secondary capacity at Heyford Park School. This development would be expected to contribute to the expansion in a proportionate manner.

**Calculation:**

Number of secondary pupils expected to be generated	46
Estimated cost of primary school expansion	£25,992
Pupils * cost =	<b>£ 1,195,632</b>



## **£125,637 Special School Contribution indexed from TPI = 327**

### **Justification:**

Government guidance is that local authorities should secure developer contributions for expansion to special education provision commensurate with the need arising from the development.

Approximately half of pupils with Education Needs & Disabilities (SEND) are educated in mainstream schools, in some cases supported by specialist resource bases, and approximately half attend special schools, some of which are run by the local authority and some of which are independent. Based on current pupil data, approximately 0.9% of primary pupil attend special school, 2.1% of secondary pupils and 1.5% of sixth form pupils. These percentages are deducted from the mainstream pupil contributions referred to above, and generate the number of pupils expected to require education at a special school.

The county council's Special Educational Needs & Disability Sufficiency of Places Strategy is available at <https://www.oxfordshire.gov.uk/residents/schools/our-work-schools/planning-enough-school-places> and sets out how Oxfordshire already needs more special school places. This is being achieved through a mixture of new schools and expansions of existing schools.

The proposed development is expected to further increase demand for places at SEN schools in the area, and a contribution towards expansion of SEN school capacity is therefore sought based on the percentage of the pupil generation who would be expected to require places at a special school, based on pupil census data.

### **Calculation:**

Number of pupils requiring education at a special school expected to be generated	1.4
Estimated per pupil cost of special school expansion,	£89,741
Pupils * cost =	<b>£125,637</b>

The above contributions are based on a policy compliant unit mix of:

- 29 x 1 bed dwellings
- 59 x 2 bed dwellings
- 100 x 3 bed dwellings
- 42 x 4 bed dwellings

It is noted that the application is outline and therefore the above level of contributions would be subject to amendment, should the final unit mix result in an increase in pupil generation.

**Officer's Name: Louise Heavey**

**Officer's Title:** Access to Learning Information Analyst

**Date:** 25/04/2022

**Application no: 21/04289/OUT**

**Location:** West Of Chilgrove Drive And Adjoining And North Of Camp Road Heyford Park

---

## **Infrastructure Funding**

### **Recommendation:**

No objection subject to S106 contributions

### **Legal agreement required to secure:**

**No objection subject to:**

- S106 Contributions as summarised in the table below and justified in this Schedule.

<b>Contribution</b>	<b>Amount</b>	<b>Price base</b>	<b>Index</b>	<b>Towards (details)</b>
Library	<b>£24,668</b>	2Q 17	PUBSEC	Funding of Bicester library

### **S106 obligations and their compliance with Regulation 122(2) Community Infrastructure Levy Regulations 2010 (as amended):**

**£24,668 Library Contribution** to be indexed linked from 2Q 17 using the PUBSEC index

**Towards:** Repaying the cost of forward funding the new Bicester library

**Justification:** A new library has been provided in the Franklins Yard development in Bicester. Part of the cost of the project was forward funded in advance of contributions being received from development. A contribution is required from this development toward repaying the cost of forward funding the delivery of Bicester library.

### **Calculation:**

There is £487,205 still to be secured from the total £1.2 M capital cost of the project at 2nd Quarter 2017 price base index.

Population forecasts show a population increase of 20,257 to 2026 for the Bicester Library Service catchment area.

Current contribution requirement is  $£487,205 \div 20,257 = £24.05$

The development proposal would also generate the need to increase the core book stock held by the local library by 2 volumes per additional resident. The price per volume is £10.00 = £20 per person.

The full requirement for the provision of library infrastructure and supplementary core book stock in respect of this application is: £ 44.05 x 560 (the forecast number of new residents) = **£24,668**

**Officer's Name: Richard Oliver**

**Officer's Title: Infrastructure Funding Negotiator**

**Date: 28 April 2022**

**Application no: 21/04289/OUT**

**Location:** West Of Chilgrove Drive And Adjoining And North Of Camp Road Heyford Park

---

## **Archaeology**

### **Recommendation:**

We have previously commented at the pre-application phase for this site and recommended a predetermination evaluation takes place to assess the archaeological potential (ref: 21/01745/PREAPP); an archaeological desk based assessment has been prepared and a geophysical survey has been carried out as part of this application.

### **Key issues:**

### **Legal agreement required to secure:**

### **Conditions:**

In accordance with the National Planning Policy Framework (NPPF 2021) paragraph 189, we would therefore recommend that, prior to the determination of this application the applicant should therefore be responsible for the implementation of an archaeological field evaluation.

This must be carried out by a professionally qualified archaeological organisation and should aim to define the character and extent of the archaeological remains within the application area, and thus indicate the weight which should be attached to their preservation. This information can be used for identifying potential options for minimising or avoiding damage to the archaeology and on this basis, an informed and reasonable decision can be taken.

### **Informatives:**

### **Detailed comments:**

The site is located in an area of archaeological potential adjacent to the line of Aves Ditch, a prehistoric tribal boundary later used as a Roman road. A number of Iron Age banjo enclosures have been recorded along the line of this boundary including one 500m east of this site and another, 300m north of this proposed site, immediately adjacent to Aves Ditch. Two further banjo enclosures have been recorded to the south of this proposed site. Other Prehistoric features have been identified from aerial photographs in the immediate vicinity.

A Romano-British settlement site has been recorded to the north of this proposal and a series of cropmarks identified as a possible Iron Age or Roman settlement complex have been recorded to the east of the site.

A number of burials have been recorded in the vicinity and a possible Anglo Saxon cemetery has been recorded immediately south of the site. This was recorded in 1865 and the exact location is uncertain but it was either recorded 700m north of the proposed site or 70m to the south. Roman cremations and burials have also been recorded east of the site.

**Officer's Name: Victoria Green**

**Officer's Title:** Planning Archaeologist

**Date:** 6th April 2022

**Application no: 21/04289/OUT**

**Location:** West Of Chilgrove Drive And Adjoining And North Of Camp Road Heyford Park

---

## **Waste Management**

### **Recommendation:**

No objection subject to S106 contributions

### **Legal agreement required to secure:**

#### **No objection subject to:**

- S106 Contributions as summarised in the tables below and justified in this Schedule.

<b>Contribution</b>	<b>Amount</b>	<b>Price base</b>	<b>Index</b>	<b>Towards (details)</b>
Household Waste Recycling Centres	<b>£21,611</b>	327	BCIS All-In TPI	Expansion and efficiency of Household Waste Recycling Centres (HWRC)

### **S106 obligations and their compliance with Regulation 122(2) Community Infrastructure Levy Regulations 2010 (as amended):**

**£21,611** Household Waste Recycling Centre Contribution indexed from Index Value 327 using BCIS All-in Tender Price Index

#### **Towards:**

The expansion and efficiency of Household Waste Recycling Centre (HWRC) capacity.

#### **Justification:**

1. Oxfordshire County Council, as a Waste Disposal Authority, is required under the Environmental Protection Act 1990 (Section 51) to arrange:

*“for places to be provided at which persons resident in its area may deposit their household waste and for the disposal of waste so deposited”;*

*and that*

*“(a) each place is situated either within the area of the authority or so as to be reasonably accessible to persons resident in its area;*

*(b) each place is available for the deposit of waste at all reasonable times (including at least one period on the Saturday or following day of each week except a week in which the Saturday is 25<sup>th</sup> December or 1<sup>st</sup> January);*

*(c) each place is available for the deposit of waste free of charge by persons resident in the area;”.*

2. Such places are known as Household Waste Recycling Centres (HWRCs) and Oxfordshire County Council provides seven HWRCs throughout the County. This network of sites is no longer fit for purpose and is over capacity.
3. Site capacity is assessed by comparing the number of visitors on site at any one time (as measured by traffic monitoring) to the available space. This analysis shows that all sites are currently ‘over capacity’ (meaning residents need to queue before they are able to deposit materials) at peak times, and many sites are nearing capacity during off peak times. The proposed development will provide 230 dwellings. If each household makes four trips per annum the development would impact on the already over capacity HWRCs by an additional 920 HWRC visits per year.
4. Congestion on site can reduce recycling as residents who have already queued to enter are less willing to take the time necessary to sort materials into the correct bin. Reduced recycling leads to higher costs and an adverse impact on the environment. As all sites are currently over capacity, population growth linked to new housing developments will increase the pressure on the sites.
5. The Waste Regulations (England and Wales) 2011 require that waste is dealt with according to the waste hierarchy. The County Council provides a large number of appropriate containers and storage areas at HWRCs to maximise the amount of waste reused or recycled that is delivered by local residents. However, to manage the waste appropriately this requires more space and infrastructure meaning the pressures of new developments are increasingly felt. Combined with the complex and varied nature of materials delivered to site it will become increasingly difficult over time to comply with the EU Waste Framework Directive 2008, enacted through the Waste Regulations (England and Wales) 2011 (as amended), maintain performance and a good level of service especially at busy and peak times.



**Calculation:**

Space at HWRC required per dwelling (m <sup>2</sup> )	0.18	Current land available 41,000m <sup>2</sup> , needs to increase by 28% to cope with current capacity issues. Space for reuse requires an additional 7%. Therefore, total land required for current dwellings (300,090) is 55,350 m <sup>2</sup> , or 0.18m <sup>2</sup> per dwelling
Infrastructure cost per m <sup>2</sup>	£275	Kidlington build cost/m <sup>2</sup> indexed to 327 BCIS
Land cost per m <sup>2</sup>	£247	Senior Estates Surveyor valuation
Total land and infrastructure cost /m <sup>2</sup>	<b>£522</b>	
Cost/dwelling	£93.96	
No of dwellings in the development	<b>230</b>	
Total contributions requested	<b>£21,611</b>	

**Detailed comments:**

Oxfordshire councils have ambitious targets to reduce the amount of waste generated and increase the amount recycled as demonstrated in our Joint Municipal Waste Management Strategy 2018-2023. Enabling residents of new dwellings to fully participate in district council waste and recycling collections is vital to allow Oxfordshire's high recycling rates to be maintained and reduce the amount of non-recyclable waste generated.

Given the pressing urgency of climate change and the need to embed the principles of the circular economy into all areas of our society, we encourage the applicant to consider including community spaces that help reduce waste and build community cohesion through assets such as community fridges, space for the sharing economy (library of things), refill stations, space for local food growing etc.

At the reserved matters application stage, we expect to see plans for how the developer will design the development in accordance with waste management policies in Cherwell District Council's waste planning guidance.

Bin storage areas must be able to accommodate the correct number of mixed recycling, refuse and food recycling bins; be safe and easy to use for residents and waste collection crews and meet the requirements of the waste collection authority.

The development will increase domestic waste arisings and the demand for all waste management services including Household Waste Recycling Centres (HWRCs).

**Conditions:**

In the event that permission is to be given, the following conditions should be attached:

N/A

**Officer's Name: Mark Watson**

**Officer's Title: Waste Strategy Projects Officer**

**Date: 25 April 2022**

Dorchester Group

## OS Parcel 157- Adjoining and West Chilgrove Drive and Adjoining and North of, Camp Road, Heyford Park

Section 78 Appeal by: Richborough Estates, Lone Star Land Ltd, K and S Holford, A and S Dead, NP Giles and A L C Broadberry



# APPENDIX B

02/09/2022 National Highways Response

21-04289-OUT



## National Highways Planning Response (NHPR 21-09) Formal Recommendation to an Application for Planning Permission

From: Martin Fellows(Regional Director)  
Operations Directorate  
East Region  
National Highways  
[PlanningEE@highwaysengland.co.uk](mailto:PlanningEE@highwaysengland.co.uk)

To: Cherwell District Council FAO: Andrew Lewis

CC: [transportplanning@df.gov.uk](mailto:transportplanning@df.gov.uk)  
[spatialplanning@highwaysengland.co.uk](mailto:spatialplanning@highwaysengland.co.uk)

**Council's Reference:** 21/04289/OUT

**National Highways Ref:** 95582

**Location:** OS Parcel 1570 Adjoining And West Of Chilgrove Drive And Adjoining And North Of Camp Road Heyford Park

**Proposal:** Outline planning application for the erection of up to 230 dwellings, creation of new vehicular access from Camp Road and all associated works with all matters reserved apart from Access

Referring to the consultation on a planning application dated 24 December 2021, referenced above, in the vicinity of the M40, that forms part of the Strategic Road Network, notice is hereby given that National Highways' formal recommendation is that we:

- a) offer no objection (see reasons at Annex A);
- ~~b) recommend that conditions should be attached to any planning permission that may be granted (see Annex A – National Highways recommended Planning Conditions & reasons);~~
- ~~c) recommend that planning permission not be granted for a specified period (see reasons at Annex A);~~
- ~~d) recommend that the application be refused (see reasons at Annex A)~~

Highways Act 1980 Section 175B is/is not relevant to this application.<sup>1</sup>

---

<sup>1</sup> Where relevant, further information will be provided within Annex A.

This represents National Highways' formal recommendation and is copied to the Department for Transport as per the terms of our Licence.

Should the Local Planning Authority not propose to determine the application in accordance with this recommendation they are required to consult the Secretary of State for Transport, as set out in the [Town and Country Planning \(Development Affecting Trunk Roads\) Direction 2018](#), via [transportplanning@dft.gov.uk](mailto:transportplanning@dft.gov.uk) and may not determine the application until the consultation process is complete.

**Signature:** S. Gogna

**Date:** 02/09/2022

**Name:** Sunil Gogna

**Position:** Spatial Planner

**National Highways**

Highways England | Woodlands | Manton Lane | Bedford | MK41 7LW

## **Annex A National Highway's assessment of the proposed development**

National Highways has been appointed by the Secretary of State for Transport as a strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the Strategic Road Network (SRN). The SRN is a critical national asset and as such we work to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.

National Highways has reviewed the Transport Assessment (TA) which has been submitted in support of this planning application (021/04289/OUT). An assessment has been undertaken of traffic flow and forecast trip generation and distribution in the local area and the SRN that would result from the proposed development.

This appraisal has shown that with regard to the evidence provided, and assuming that the SATURN modelling results are represented as produced, it can be concluded that the effect of the proposed development on the SRN is unlikely to be significant.

In light of the above, National Highways has no objection to the proposed development.

Dorchester Group

## OS Parcel 157- Adjoining and West Chilgrove Drive and Adjoining and North of, Camp Road, Heyford Park

Section 78 Appeal by: Richborough Estates, Lone Star Land Ltd, K and S Holford, A and S Dead, NP Giles and A L C Broadberry



# APPENDIX C

Correspondence with James Parker (Hub Transport Planning)

Monday, October 9, 2023 at 11:13:41 British Summer Time

---

**Subject:** Re: Appeal REF: AAP/C3015/W/23/3326762: Richborough Estates  
**Date:** Wednesday, 4 October 2023 at 13:04:58 British Summer Time  
**From:** David Frisby  
**To:** James Parker  
**CC:** Matthew Fitchett, Chris Holdup, Ben Fairgrieve  
**BCC:** Neil Cottrell, Simon Fry, Gavin Angell, David Hutchison, Philip Robson  
**Attachments:** image008.jpg, image009.png, image010.png, image011.png, image012.png, image013.png, image014.png, image015.gif, image001.png, image002.png, image003.png, image004.png, image005.png, image006.png, image007.gif, 230915 327632 Mitigation Junctions[48].pdf

Dear James,

Good to hear from you.

Yes, I agree; and you will recall that I suggested that we meet after the CMC during our telephone call on Monday afternoon.

However, in advance of a meeting could you please clarify the following points that you alluded to on our call please?

- The Appellant was committed to providing S106 contributions to mitigate the transportation impacts of their development.
- That Hub Transport Planning were currently preparing analysis that assesses the Appellants site in the absence of assumed Dorchester mitigation.
- We would expect you to have reviewed the junctions where Dorchester have an impact (for ease please see the attached junction locations highlighted in red) and be assessing those for completeness.
- If this modelling exercise has now been concluded?
- If mitigation has been identified, how many units will trigger such mitigation.
- That this work will form the basis of additional S106 commitments over and above those already identified by County (if necessary)?
- That you able to share the analysis and the outcome/results with mode please; this will assist in the preparation of a HSoCG

I could possibly make a meeting tomorrow afternoon at our offices in Birmingham, if I can get clarity on the above in advance, please.

I look forward to hearing from you at your earliest convenience.

Kind regards,

David

**David Frisby** BEng (CEng) FCIHT  
Director

 020 3848 99719

 07812 049 202

 [davidfrisby@modetransport.co.uk](mailto:davidfrisby@modetransport.co.uk)

[www.modetransport.co.uk](http://www.modetransport.co.uk)



**mode transport planning**

Butler House, 177-178 Tottenham Court Road, London W1T 7NY

keep up with mode:



be green, keep it on the screen!

---

**From:** James Parker <[James@hubtransportplanning.co.uk](mailto:James@hubtransportplanning.co.uk)>  
**Date:** Wednesday, 4 October 2023 at 12:10  
**To:** David Frisby <[davidfrisby@modetransport.co.uk](mailto:davidfrisby@modetransport.co.uk)>  
**Subject:** RE: Appeal REF: AAP/C3015/W/23/3326762: Richborough Estates

Hi David,

Further to the CMC this morning, can you confirm availability to meet and discuss the highway assessment work, SoCG, etc?

Based on our initial discussion earlier this week, I hope you will agree that we need to get this addressed ASAP.

I'm available tomorrow from lunchtime onwards, Friday PM this week or Monday AM, Tues mid-morning onwards, Thurs all day next week; however, I'd rather get this discussed and matters agreed between us (where possible of course) as soon as we can, so would prefer tomorrow or Friday please.

Happy to do it either here or at your office, really don't mind.

I look forward to hearing from you.

Regards,

**James Parker**

**Director**

**DD.** 0121 661 4870 **M.** 07792 970487 **W.** [www.hubtransportplanning.co.uk](http://www.hubtransportplanning.co.uk)



The information contained herein is strictly confidential and intended solely for the addressee. It may contain privileged and confidential information and if you are not the intended recipient, you must not copy, distribute or take any action in reliance on it. Please contact the sender immediately on +44 (0) 121 454 5530, or via return of email if you believe you have received this message in error.

Please note that we cannot guarantee that this email and/or any attachments are free of viruses; virus scanning

is recommended and is the responsibility of the recipient.

Hub Transport Planning Ltd is registered in England and Wales (No. 5930870).

---

**From:** David Frisby <[davidfrisby@modetransport.co.uk](mailto:davidfrisby@modetransport.co.uk)>  
**Sent:** Monday, October 2, 2023 1:44 PM  
**To:** James Parker <[James@hubtransportplanning.co.uk](mailto:James@hubtransportplanning.co.uk)>  
**Subject:** Appeal REF: AAP/C3015/W/23/3326762: Richborough Estates

Dear James

Are you around for short 15minute chat today about the Richborough/Lonestar Appeal please.

Paul Tucker KC has requested that I contact you today (or whoever at hub is leading the case for RE) as a matter of urgency in advance of CMC with the Inspector on Wednesday morning.

Kind regards,

David

**David Frisby** BEng (CEng) FCIHT  
Director

☎ 020 3848 99719

☎ 07812 049 202

✉ [davidfrisby@modetransport.co.uk](mailto:davidfrisby@modetransport.co.uk)

[www.modetransport.co.uk](http://www.modetransport.co.uk)

**mode transport planning**

Butler House, 177-178 Tottenham Court Road, London W1T 7NY

keep up with mode: [in](#) [t](#) [f](#)



be green, keep it on the screen!

Dorchester Group

## OS Parcel 157- Adjoining and West Chilgrove Drive and Adjoining and North of, Camp Road, Heyford Park

Section 78 Appeal by: Richborough Estates, Lone Star Land Ltd, K and S Holford, A and S Dead, NP Giles and A L C Broadberry



# APPENDIX D

Correspondence with Joy White (OCC)

Tuesday, October 31, 2023 at 13:03:47 Greenwich Mean Time

**Subject:** RE: M40 Jn10 Update – Upper Heyford [18/00825/HYBRID]  
**Date:** Monday, 30 October 2023 at 10:20:38 Greenwich Mean Time  
**From:** White, Joy - Oxfordshire County Council  
**To:** David Frisby  
**Attachments:** image001.png, image002.png, image003.png, image004.png, image005.png, image006.png, image007.gif, image008.png, image009.png, image010.png, image011.png, image012.png, image013.png, image014.png, image015.gif

Hi David

We've instructed Legal Services but I haven't seen a draft yet.

Kind regards  
Joy

---

**From:** David Frisby <[davidfrisby@modetransport.co.uk](mailto:davidfrisby@modetransport.co.uk)>  
**Sent:** Monday, October 30, 2023 9:54 AM  
**To:** White, Joy - Oxfordshire County Council <[Joy.White@Oxfordshire.gov.uk](mailto:Joy.White@Oxfordshire.gov.uk)>  
**Subject:** Re: M40 Jn10 Update – Upper Heyford [18/00825/HYBRID]

**CAUTION:** This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear Joy,

I trust you had a relaxing weekend.

Has there been any progress on the S106 with Richborough/Lonestar yet please?


I look forward to hearing from you.

Kind regards,

David

**David Frisby** BEng (CEng) FCIHT  
Director

 020 3848 99719

 07812 049 202

 [davidfrisby@modetransport.co.uk](mailto:davidfrisby@modetransport.co.uk)

[www.modetransport.co.uk](http://www.modetransport.co.uk)

**mode transport planning**

Butler House, 177-178 Tottenham Court Road, London W1T 7NY

keep up with mode:   



be green, keep it on the screen!

---

**From:** White, Joy - Oxfordshire County Council <[Joy.White@Oxfordshire.gov.uk](mailto:Joy.White@Oxfordshire.gov.uk)>  
**Date:** Thursday, 26 October 2023 at 10:41  
**To:** David Frisby <[davidfrisby@modetransport.co.uk](mailto:davidfrisby@modetransport.co.uk)>  
**Subject:** RE: M40 Jn10 Update – Upper Heyford [18/00825/HYBRID]

Hi David, yes but I haven't seen the draft yet.

Kind regards  
Joy

---

**From:** David Frisby <[davidfrisby@modetransport.co.uk](mailto:davidfrisby@modetransport.co.uk)>  
**Sent:** Thursday, October 26, 2023 9:04 AM  
**To:** White, Joy - Oxfordshire County Council <[Joy.White@Oxfordshire.gov.uk](mailto:Joy.White@Oxfordshire.gov.uk)>  
**Cc:** Simon Fry <[S.Fry@dorchestergrp.com](mailto:S.Fry@dorchestergrp.com)>; Chris Holdup <[chrisholdup@modetransport.co.uk](mailto:chrisholdup@modetransport.co.uk)>; Matthew Fitchett <[matthewfitchett@modetransport.co.uk](mailto:matthewfitchett@modetransport.co.uk)>  
**Subject:** Re: M40 Jn10 Update – Upper Heyford [18/00825/HYBRID]

**CAUTION:** This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Joy

Out of interest have Richborough/Lonestar now started to progress their S106?

Kind regards,

David

**David Frisby** BEng (CEng) FCIHT  
Director

 020 3848 99719

 07812 049 202

 [davidfrisby@modetransport.co.uk](mailto:davidfrisby@modetransport.co.uk)

[www.modetransport.co.uk](http://www.modetransport.co.uk)

**mode transport planning**

Butler House, 177-178 Tottenham Court Road, London W1T 7NY

keep up with mode:   

Dorchester Group

## OS Parcel 157- Adjoining and West Chilgrove Drive and Adjoining and North of, Camp Road, Heyford Park

Section 78 Appeal by: Richborough Estates, Lone Star Land Ltd, K and S Holford, A and S Dead, NP Giles and A L C Broadberry



# APPENDIX E

Oxfordshire County Council Regulation 122 Compliance Statement

21-04289-OUT

**OXFORDSHIRE COUNTY COUNCIL'S  
REGULATION 122 COMPLIANCE STATEMENT**

**Location:** OS Parcel 1570 Adjoining And West Of Chilgrove Drive And Adjoining And North Of Camp Road Heyford Park

**Planning Application Ref:** 21/04289/OUT

**Appeal Reference:** APP/C3105/W/23/3326761

**Proposal:** Outline planning application for the erection of up to 230 dwellings, creation of new vehicular access from Camp Road and all associated works with all matters reserved apart from Access

Date of Regulation 122 Statement: 18<sup>th</sup> September 2023

**1. INTRODUCTION**

- 1.1. Oxfordshire County Council (OCC) considers that the proposed development of up to 230 dwellings is unacceptable without an agreement under Section 106 of the Town and County Planning Act 1990 (S106) which is required to mitigate the demands which will be placed on infrastructure and services as a result of the development. This statement by OCC provides the justification for its requirements for contributions towards Education, Transport, Library, Household Waste Recycling Centres and also justification for an administration & monitoring fee.
- 1.2. This statement supplements the formal response by OCC dated 20/05/2022 to the consultation by Cherwell District Council (CDC).
- 1.3. R122(2) of the Community Infrastructure Levy (CIL) regulations 2010 (as amended) introduced three tests for S106 agreements which must apply if a planning obligation is to constitute a reason for granting planning permission. It should be, a) necessary to make the development acceptable in planning terms, b) directly related to the development and c) fairly and reasonably related in scale and kind to the development. The purpose of this statement is to show that the requested contributions comply with the requirements of the three tests.

**2. INFRASTRUCTURE CONTRIBUTIONSSUMMARY:**

- 2.1. OCC considers that the development would have a detrimental impact on the local services it provides unless the contributions sought are provided as set out below:

<b>Contribution Type</b>	<b>Contribution Amount</b>	<b>Indexed-linked</b>
Primary & Nursery Education	£1,604,630	BCIS all in TPI 327
Secondary Education	£1,195,632	BCIS all in TPI 327
SEND Education	£125,637	BCIS all in TPI 327
School Transport	£385,700	RPIX June 2022
Highway Works	1,682,237	Baxter August 2021
Public Transport Services	£453,155	RPIX August 2021
Cycle Route	£84,374	Baxter August 2021
Village Traffic Calming	£57,704	Baxter August 2021
Middleton Stoney Mitigation	£99,455	Baxter August 2021
M40 J10	£308,508	Baxter August 2021
Safety Improvements 1	£6,630	Baxter August 2021
Safety Improvements 2	£7,139	Baxter August 2021
Local Weight Restriction	£5,892	Baxter August 2021
Travel Plan Monitoring	£1,558	RPIX December 2021
Library	£12,485	BCIS all in TPI 327
Household Waste Recycling Centres	£21,611	BCIS all in TPI 327

*Table 1: Infrastructure Contributions*

- 2.2. **Administration and Monitoring Fee - £19,242** based on the contributions above
- 2.3. The above contributions save for the Administration and Monitoring Fee are to be indexed-linked to maintain the real values of the contributions so that they can in future years deliver the same level of infrastructure provision as currently required.

### **3. Population Assessment**

- 3.1. Education contributions are assessed in accordance with the population likely to be generated by the proposed development, and the likely demands that this additional population would place on local infrastructure and services. Such assessment is made using the county's population forecasting tool, which uses the results of the 2018 Oxfordshire Survey of New Housing to generate a population profile of new development, taking into account:
  - a) The scale and dwelling mix of development
  - b) An allowance for attendance of children at non-state funded schools
- 3.2. The contributions below are based on the application form:
  - 29x one bed dwellings
  - 59 x two bed dwellings
  - 100 x three bed dwellings
  - 42 x four bed dwellings
- 3.3. It is estimated that the proposed development would generate a net increase of 560 additional residents including:



70 primary school pupils  
46 secondary school students, and  
15 nursery pupils.  
1.4 pupils requiring education at a special school

## **4. EDUCATION**

### **4.1 LEGISLATION AND POLICY**

Education authorities have statutory duties to:

- Ensure sufficient school places (The Education Act 1996 S14)
- Increase opportunities for parental choice (S2 of the Education and Inspections Act 2006 inserts sub-section 3A into S14 of the Education Act 1996)
- Comply with any preference expressed by parents provided compliance with the preference would not prejudice the provision of efficient education or the efficient use of resources (School Standards and Framework Act 1998 S86)
- Ensure fair access to educational opportunity. (S1 of the Education and Inspections Act 2006 inserts sub-section 1(b) into S13 of the Education Act 1996)

### **The National Planning Policy Framework (NPPF) September 2023**

Paragraph 95 of the NPPF states:

*“it is important that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education.*

*a) They should give great weight to the need to create, expand or alter schools through the preparation of plans and decisions on applications; and*

*b) work with schools promoters, delivery partners and statutory bodies to identify and resolve key planning issues before applications are submitted”.*

**Policy INF 1 (Infrastructure) of the adopted Cherwell Local Plan 2011-31** states that *“Development proposals will be required to demonstrate that infrastructure requirements can be met including the provision of transport, education, health, social and community facilities.”*

### **4.2 EDUCATION CONTRIBUTIONS**

#### **4.2.1 Primary & Nursery Education Contribution - £1,604,630 index linked from index value 327 using BCIS All In TPI Index, towards primary education capacity serving the development**

##### **(a) Necessary to make the development acceptable in planning terms**

The Heyford Park strategic development area is currently served by a 2-form entry all-through school, Heyford Park School, providing 446 nursery and primary pupil places.

The 2,800 homes already built / permitted at Heyford Park are expected to generate approximately 867 nursery and primary pupils, once fully populated. The current provision will be insufficient.

To meet this need, a further 1.5 form entry school is currently planned on land within the 18/00825/HYBRID development, which would provide a further 390 nursery and primary places, bring the total to 836 places. The school will be designed to facilitate further expansion to 2 form entry if needed as a result of further housing growth, such as that proposed by this appeal site.

As this school is expected to be filled by already permitted development, it would need to be expanded to two forms of entry in order to accommodate the 85 additional pupils expected to be generated by this proposed development. For this reason, this proposed development would be expected to contribute to the cost of expanding the school.

**(b) Directly related to the development**

The contribution will be used to fund the primary school capacity created in the local area to accommodate the children generated by the Heyford Park development, including this proposal.

**(c) Fairly and reasonably related in scale and kind to the development**

The contribution has been based on the estimated pupil generation from the proposed development, and the average cost per pupil of expanding a primary school, as set out in DfE Guidance and data.

Number of primary and nursery pupils expected to be generated: 85

Estimated per pupil cost: £18,878

Pupils \* cost = £ **1,604,630**@ BCIS TPI = 327

This contribution is based on the unit mix stated above and a matrix will be included in the S106 agreement to adjust the contribution to reflect any change to the unit mix.

**4.2.3 Secondary Education Contribution - £1,195,632 index linked from index value 327 using BCIS All In TPI Index, towards secondary education capacity serving the development**

**(a) Necessary to make the development acceptable in planning terms**

Heyford Park School is currently built as a 2-form entry school, with a secondary pupil capacity of 420 places. The 2,800 homes already built / permitted at Heyford Park are expected to generate approximately 612 secondary pupils, once fully populated. To meet this need, the county council, as local education authority, is working with the academy trust responsible for Heyford Park School to plan its expansion; it is expected that the first phase would expand the school by 150 places, with further expansion in the longer term in line with local population growth.

This proposed development would increase the expected number of secondary pupils by a further 46, and therefore also be dependent on expansion of the school, and as such is expected to contribute towards the cost.

**(b) Directly related to the development**

The contribution will be used to expand secondary school capacity in the local area to accommodate the children generated by this development.

**(c) Fairly and reasonably related in scale and kind to the development**

The contribution has been based on the estimated pupil generation from the proposed development, and the average cost per pupil of expanding a secondary school, as set out in DfE Guidance and data.

Number of secondary pupils expected to be generated: 46

Estimated per pupil cost: £25,992

Pupils \* cost = **£1,195,632 @ BCIS TPI = 327**

This contribution is based on the unit mix stated above and a matrix will be included in the S106 agreement to adjust the contribution to reflect any change to the unit mix.

**4.2.4 SEND Education Contribution - £125,637 index linked from index value 327 using BCIS All In TPI Index, towards SEND education capacity serving the development**

**(a) Necessary to make the development acceptable in planning terms**

Government guidance is that local authorities should secure developer contributions for expansion to special education provision commensurate with the need arising from the development.

Approximately half of pupils with Education Needs & Disabilities (SEND) are educated in mainstream schools, in some cases supported by specialist resource bases, and approximately half attend special schools, some of which are run by the local authority and some of which are independent. Based on current pupil data, approximately 0.9% of primary pupil attend special school, 2.1% of secondary pupils and 1.5% of sixth form pupils. These percentages are deducted from the mainstream pupil contributions referred to above, and generate the number of pupils expected to require education at a special school.

The county council's Special Educational Needs & Disability Sufficiency of Places Strategy is available at <https://www.oxfordshire.gov.uk/residents/schools/our-work-schools/planning-enough-school-places> and sets out how Oxfordshire already needs more special school places. This is being achieved through a mixture of new schools and expansions of existing schools.

The proposed development is expected to further increase demand for places at SEN schools in the area, and a contribution towards expansion of SEN school capacity is therefore sought based on the percentage of the pupil generation who would be expected to require places at a special school, based on pupil census data.

**(b) Directly related to the development**

The contribution will be used to expand special school capacity serving the local area to accommodate the children generated by this development.

**(c) Fairly and reasonably related in scale and kind to the development**

The contribution has been based on the estimated pupil generation from the proposed development, and the cost per pupil of expanding special school capacity in Oxfordshire.

Number of pupils requiring education at a special school expected to be generated by this development: 1.4

Estimated per pupil cost of special school expansion: £89,741

Pupils \* cost = **£125,637 @ BCIS = 327**

This contribution is based on the unit mix stated above and a matrix will be included in the S106 agreement to adjust the contribution to reflect any change to the unit mix.

**4.2.5 Primary Pupil Transport Contribution - £385,700 index linked using RPIX Index from June 2022, towards the transport of primary pupils to their nearest available school**

**(a) Necessary to make the development acceptable in planning terms**

As set out above, the proposed development is dependent on capacity to be provided at a new school. Delivery of that school is dependent on the progress of the host development (18/00825/HYBRID), and at this stage it cannot be confirmed that sufficient capacity can be provided to meet the needs of the appeal site. If the appeal site implements prior to Reserved Matters being approved for the planned new primary school, children moving into the new homes may be unable to secure a place at the existing primary school, and need to be transported to the nearest available primary school, at the county council's cost.

**(b) Directly related to the development**

This additional cost to the county council would directly result from the appeal site's development ahead of the new school being provided. The contribution would only be required should the county council incur costs to transport primary school children from Heyford Park to their nearest available primary school.

**(c) Fairly and reasonably related in scale and kind to the development**

A June 2022 tendering exercise conducted by the county council identified the average cost of a school coach as £290 per day, and there are 190 school days in a year. Once a child starts at a primary school, they are likely to stay there, even once a new school is opened closer to home, and therefore the county council would require the contribution for the 7 years that a child is at primary school.

## **5. TRANSPORT**

### **5.1 LEGISLATION AND POLICY**

#### **National Planning Policy Framework, Sept 2023**

- i. Paragraph 104

Transport issues should be considered from the earliest stages of plan-making and development proposals, so that:

- (a) the potential impacts of development on transport networks can be addressed;
- (b) opportunities from existing or proposed transport infrastructure, and changing transport technology and usage, are realised – for example in relation to the scale, location or density of development that can be accommodated.
- (c) opportunities to promote walking, cycling and public transport use are identified and pursued.
- (d) the environmental impacts of traffic and transport infrastructure can be identified, assessed and taken into account – including appropriate opportunities for avoiding and mitigating any adverse effects, and for net environmental gains; and
- (e) patterns of movement, streets, parking and other transport considerations are integral to the design of schemes and contribute to making high quality places.

ii. Paragraph 105

The planning system should actively manage patterns of growth in support of these objectives. Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions and improve air quality and public health. However, opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making.

iii. Paragraph 106

Planning Policies should:

- (a) support an appropriate mix of uses across an area, and within larger scale sites, to minimise the number and length of journeys needed for employment, shopping, leisure, education and other activities;
- (b) be prepared with the active involvement of local highways authorities, other transport infrastructure providers and operators and neighbouring councils, so that strategies and investments for supporting sustainable transport and development patterns are aligned;
- (c) identify and protect, where there is robust evidence, sites and routes which could be critical in developing infrastructure to widen transport choice and realise opportunities for large scale development.
- (d) provide for high quality walking and cycling networks and supporting facilities such as cycle parking (drawing on Local Cycling and Walking Infrastructure Plans);

iii Paragraph 110

In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that:

- (a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;

- (b) safe and suitable access to the site can be achieved for all users; and
- (d) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.

#### iv Paragraph 112

Within this context, applications for development should:

- (a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use;
- (b) address the needs of people with disabilities and reduced mobility in relation to all modes of transport.
- (c) create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards.

#### v Paragraph 113

All developments that will generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed.

### **Oxfordshire County Council- Local Transport and Connectivity Plan 2022 - 2050** **- LCTP.**

#### Policy 1 – We will

Develop, assess and prioritise transport schemes, development proposals and policies according to the following transport user hierarchy:

Walking and wheeling (including running, mobility aids, wheelchairs and mobility scooters)

Cycling and riding (bicycles, non-standard cycles, e-bikes, cargo bikes, e-scooters and horse riding)

Public transport (bus, scheduled coach, rail and taxis)

Motorcycles

Shared vehicles (car clubs and carpooling)

Other motorised modes (cars, vans and lorries)

#### Policy 2 – We will:

a) Develop comprehensive walking and cycling networks that are inclusive and attractive to the preferences and abilities of all residents in all towns. All new walking and cycling schemes will be designed according to the updated Oxfordshire Walking and Cycle Design Standards (to be published in 2022).

b) Ensure that all new developments have safe and attractive walking and cycling connections to the site, include a connected attractive network for when people are walking and cycling within the development and that the internal routes connect easily and conveniently to community facilities and the local cycle and walking network.

c) Work closely with stakeholders using co-production methods when developing and improving cycle and walking networks from inception to delivery.

Policy 4 – We will:

a) Develop a Strategic Active Travel Network in order to identify key routes for walking and cycling between destinations across the county and prioritise interventions to existing and new infrastructure.

b) Identify and support all opportunities to develop and link up the Strategic Active Travel Network in new developments, rural and major roadworks and road schemes.

Policy 18 – We will:

a) Work in partnership with bus operators, District and City councils to maintain a commercially sustainable and comprehensive network of services which is accessible to as many residents as possible.

c) Seek to make the bus a natural first choice through development of infrastructure and network management measures which give priority over the private car and improve journey speeds.

h) Ensure bus services are accessible and support community transport to address unmet local transport needs (further information in community transport policy).

j) Work to improve bus services in rural areas including consideration of flexible services where relevant.

**The Cherwell Local Plan 2011 – 2031**

SO13 To reduce the dependency on the private car as a mode of travel, increase the attraction of and opportunities for travelling by public transport, cycle and on foot, and to ensure high standards of accessibility to services for people with impaired mobility.

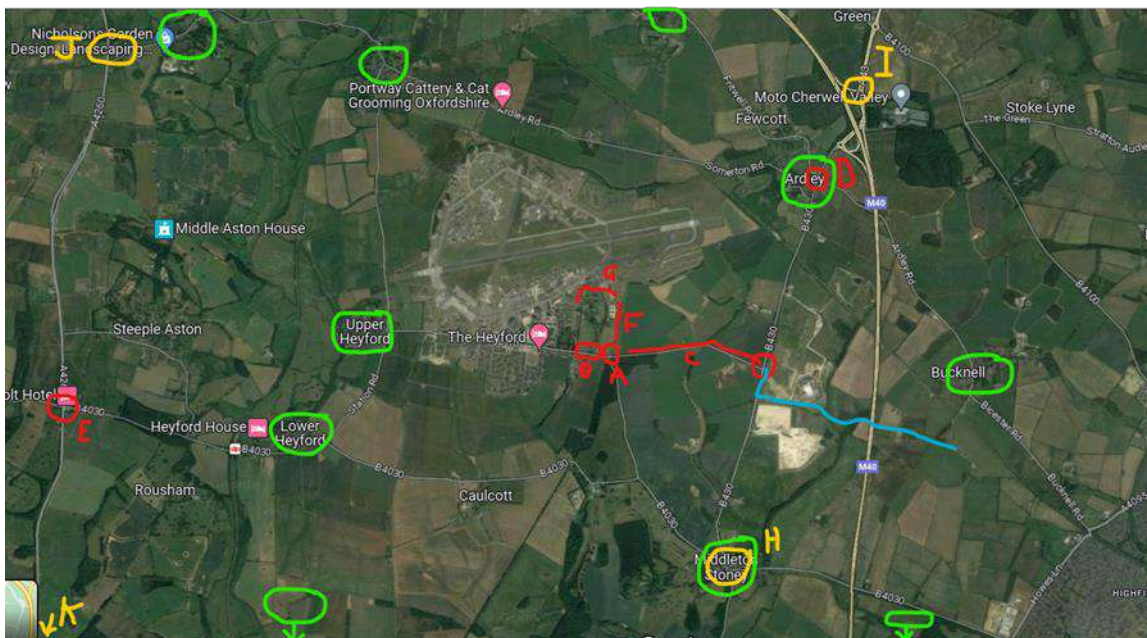
SO14 To create more sustainable communities by providing high quality, locally distinctive and well-designed environments which increase the attractiveness of Cherwell's towns and villages as places to live and work and which contribute to the well-being of residents.

Policy INF 1 (Infrastructure) of the adopted Cherwell Local Plan 2011-31 states that *“Development proposals will be required to demonstrate that infrastructure requirements can be met including the provision of transport, education, health, social and community facilities.”*

## **5.2 TRANSPORT CONTRIBUTIONS**

**5.2.1** The site is located immediately adjacent to the Policy Villages 5 (PV5) allocation within the Cherwell Local Plan, for 1,600 homes and employment equivalent to 1,500 jobs. It is accessed from Camp Road, and from there access to the wider highway network would be the same as for Policy Villages 5. Travel behaviour and trip generation and distribution would be similar to that for PV5 residential element. The site would be dependent on the facilities within PV5 for local services and would benefit from PV5's active travel and road network. Without PV5 highway infrastructure the site would be unacceptable.

- 5.2.2** PV5 highway mitigation was secured mainly on the largest of its planning application sites, reference 18/00825/HYBRID (1,175 dwellings out of the total of 1,600). This application site is referred to in this note as the ‘Hybrid application’. However, it is clear that the site would contribute to the need for that mitigation package, especially as the 230 homes would likely be occupied well before the main application is built out. This is true of the vehicle capacity mitigation elements, and of the public transport and active travel elements, on which the site would depend to make it sustainable.
- 5.2.3** For the smaller application sites within PV5, it has been agreed that they should make a proportionate financial contribution. With the exception of the public transport contribution, which is based proportionately on dwellings, the contribution amounts have been calculated on a trip generation basis, taking into account the employment element of PV5, by predicting the expected morning peak hour vehicle trip generation for each site (it is the morning peak that creates most pressure on the network).
- 5.2.4** Assuming the same residential trip generation rate as agreed for the main application, the site would generate 135 a.m. peak vehicle trips, compared to the total a.m. peak trip generation of 1,550 passenger car units for PV5.
- 5.2.5** The sketch below shows the locations of the various elements of the mitigation package.
- 5.2.5.1** The locations marked in red and labelled A-E are the elements to be delivered as works under obligation in relation to 18/00825/HYBRID (as described below).
- 5.2.5.2** The blue line shows the bridleway improvement which would be provided by OCC using the Cycle Route Contribution.





### **5.3 Highway works contribution £1,682,237 index-linked Baxter from August 2021**

#### **(a) Necessary to make the development acceptable in planning terms**

Together with PV5, the traffic impact of the development requires new highway infrastructure on the local network. Contributions are sought towards a package of works that are secured on the main application at PV5, 18/00825/HYBRID

- New signalised junction of Camp Road/unnamed road/Chilgrove Drive – location labelled A on the map above
- Traffic calming and ped/cycle facilities on Camp Road – labelled B
- Off carriageway cycle route on unnamed road linking Camp Road to the B430, plus signalisation of the junction with the B430 – labelled C
- Signalisation of the junction of the B430 and Ardley Road in Ardley – labelled D
- Capacity improvements at the junction of the A4260 and B4030 – labelled E

It also requires the construction of a new loop road linking Chilgrove Drive back into the existing development north of Heyford Village Centre. This is required to relieve HGV traffic through Heyford Village Centre and to allow the development to be served by the new bus service. This is labelled F and G on the map.

#### **(b) Directly related to the development**

The need for this infrastructure is created by the overall traffic impact of PV5 plus this site. F and G form part of the critical infrastructure of the Heyford Park development of which this site would form part.

#### **(c) Fairly and reasonably related in scale and kind to the development**

The amount has been calculated on this sites share of the total cost of the schemes, based on the site's share of the total a.m. peak trip generation.

### **5.4 Bus service contribution £453,155 index-linked RPIX from August 2021**

#### **(a) Necessary to make the development acceptable in planning terms**

A new high frequency bus service is required to provide an acceptable public transport level of service to and from Heyford Park, offering a credible alternative choice of mode to the private car. This is required in order to mitigate the traffic impact of the development.

#### **(b) Directly related to the development**

The service would run along Camp Road stopping on Camp Road near the development.

#### **(c) Fairly and reasonably related in scale and kind to the development**

In August 2021 PV5's contribution towards public transport services was £3,152,391 and was divided between PV5 sites on the basis of £1,970.24 per dwelling (3,152,391 / 1,600). The contribution was towards four buses to providing a high frequency service linking Heyford with Bicester. The proposed development is 230 dwellings x £1,970.24 = £453,155 August 2021.

## **5.5. Cycle Route contribution £84,374 index-linked Baxter from August 2021**

### **(a) Necessary to make the development acceptable in planning terms**

An off carriageway cycle route is required between the site and Bicester, as the main off site destination for employment and other trips. The roads linking the site and Bicester are rural roads unsuitable for safe cycling on the carriageway. This contribution and the contributions from PV5 sites would allow OCC to upgrade an existing bridleway linking the A4095 at Bicester and the B430 north of Middleton Stoney, to provide a surface suitable for year-round cycling, and including a commuted sum for maintenance over a 20-year period. The works are required in order to mitigate the traffic impact of the proposed site and PV5 allocation.

### **(b) Directly related to the development**

The rural cycle route would be accessible to residents via the proposed cycle route labelled C on the map above, linking Camp Road to the B430 and the proposed signalised junction at the B430, which would provide a safe crossing point for cyclists.

### **(c) Fairly and reasonably related in scale and kind to the development**

The contribution for this development has been calculated on the basis of its predicted share of the am peak trip generation, which takes into account employment trips generated by the allocation. The contribution can be shown to be proportional to the main application contributions by applying a factor of 0.84: *(total allocation trips/(Hybrid application + Phase 9 trips\*)) x (this development's trips/(this development's trips + total allocation trips)*  
OR *(1550/(1300+175)) x (135/(1550+135))*

## **5.6 Village Traffic Calming Contribution £57,704 index-linked Baxter from August 2021**

### **(a) Necessary to make the development acceptable in planning terms**

Together with the PV5 allocation the development would lead to a significant increase in peak hour traffic through a number of nearby villages, resulting in likely environmental impacts requiring mitigation by traffic calming or measures of similar benefit.

### **(b) Directly related to the development**

The traffic generated by this development would contribute to the impact.

### **(c) Fairly and reasonably related in scale and kind to the development**

The total amount calculated for PV5 was based on £75,000 (Aug 2021) for the villages, Upper and Lower Heyford, Middleton Stoney, Ardley, Fritwell, Somerton, North Aston, Bucknell, Chesterton and Kirtlington. A further £37,500 (Aug 2021) was required for Bucknell, which is expected to benefit from contributions from NW Bicester. The contribution for this development has been based proportionately on a.m. peak vehicle trip generation.

### **5.7 Middleton Stoney Mitigation Contribution £99,455 index-linked Baxter from August 2021**

**(a) Necessary to make the development acceptable in planning terms**

Together with the PV5 allocation, the development is expected to contribute to a severe traffic congestion impact on the junction of the B430 and B4030, which is on the route of the bus service linking Heyford Park and Bicester. A contribution is required to enable OCC to deliver a scheme to improve the reliability of the bus service, which would likely be used by residents to access Bicester and the A34.

**(b) Directly related to the development:**

Vehicle trips between the development and Bicester, the nearest town, would pass through this junction.

**(c) Fairly and reasonably related in scale and kind to the development**

The contribution is based on a proportionate share of works to provide a bus only restriction on the B4030 west of Middleton Stoney, which were costed at £1,223,389 (Aug 2021). The scheme would be subject to consultation, and if deemed unsuitable, the contribution will allow an alternative scheme to be developed. The proportionate share is based on a.m. peak hour trips.

### **5.8 M40 J10 Contribution £308,508 index-linked Baxter from August 2021**

**(a) Necessary to make the development acceptable in planning terms**

Traffic from the site would contribute to a predicted significant increase in congestion at M40 J10, in particular causing a safety hazard due to slip road queues extending back onto the main line of the motorway. A contribution towards a scheme of capacity improvements at the junction is therefore required.

**(b) Directly related to the development**

Vehicle trips between the development and the M40 would pass through this junction.

**(c) Fairly and reasonably related in scale and kind to the development**

The overall cost is based on a scheme of signalisation at Padbury Roundabout at M40 J10, which will be delivered by National Highways. The site's proportionate share is calculated on the basis of a.m. peak hour trip generation.

### **5.9 Safety Improvements Contribution 1 - £6,630 index-linked Baxter from August 2021**

**(a) Necessary to make the development acceptable in planning terms**

Together with the PV5 allocation, the development is expected to contribute to a significant increase in turning movements at the crossroads junction of the A4026 and the road through North Aston and Duns Tew, exacerbating the risk of collisions.

**(b) Directly related to the development**

Vehicle trips between the development and the A4260 to the north would pass through this junction.

**(c) Fairly and reasonably related in scale and kind to the development**

The contribution represents a proportionate amount based on a.m. peak hour trips of an estimated cost for OCC to implement improvements to signage and lining at the junction to improve safety.

**5.10 Safety Improvements Contribution - 2 £7,139 index-linked Baxter from August 2021**

**(a) Necessary to make the development acceptable in planning terms**

Together with the PV5 allocation, the development is expected to contribute to a significant increase in turning movements at the staggered junction of the A4026 and the B4027, exacerbating the risk of collisions.

**(b) Directly related to the development**

Vehicle trips between the development and the A4260 to the south would pass through this junction.

**(c) Fairly and reasonably related in scale and kind to the development**

The contribution represents the proportionate impact based on a.m. peak hour trips of the overall proportionate impact of PV5 at the junction. It was calculated on an estimated cost of constructing a roundabout at the junction but may be used on an alternative scheme to improve safety.

**5.11 Local Weight restrictions Contribution - £5,892 index-linked Baxter from August 2021**

**(a) Necessary to make the development acceptable in planning terms**

Together with PV5, the traffic impact of the development would have a severe impact on congestion and bus reliability at the crossroads junction of the B320 and B4030 in Middleton Stoney. The weight restriction would contribute to an overall reduction in traffic flows at the critical Middleton Stoney junction and is necessary to mitigate the congestion impact. It would also reinforce the HGV routing agreements associated with the site and serve as further protection for villages from the environmental impact of HGVs.

**(b) Directly related to the development**

Vehicle trips between the development and Bicester would pass through the Middleton Stoney junction.

**(c) Fairly and reasonably related in scale and kind to the development**

The overall amount is based on an estimate by OCC of the cost of consultation and implementation of the necessary traffic regulation order(s) and signage.

The site's proportionate share is calculated on the basis of an peak hour trip generation

### **5:12 Travel Plan monitoring Contribution £,1,558 index-linked Baxter from December 2021**

#### **(a) Necessary to make the development acceptable in planning terms**

In line with PV5, and especially given the rural location of the site, a travel plan is required to restrict car trip generation at the site, in order to make its traffic impact acceptable. The travel plan is a living document requiring regular review with OCC, leading to adjustments if necessary, in order to achieve modal share targets. The contribution is required to allow OCC to carry out this work. Without it, there would be no process of review and the travel plan would not be effective.

#### **(b) Directly related to the development**

The travel plan would be bespoke to this site.

#### **(c) Fairly and reasonably related in scale and kind to the development**

The amount is a standard amount that OCC requires for monitoring travel plans for a development of up to 399 homes and has been calculated on the basis of staff time at cost to carry out the necessary reviews and liaison with the site travel plan coordinator.

## **6. HOUSEHOLD WASTE AND RECYCLING CENTRE**

### **6.1 Household Waste and Recycling Centre - £21,611 index point 327 BCIS All-In-TPI towards expansion and efficiency of Household Waste Recycling Centre serving the Site**

#### **(a) Necessary to make the development acceptable in planning terms**

Oxfordshire County Council, as a Waste Disposal Authority, is required under the Environmental Protection Act 1990 (Section 51) to arrange:

“for places to be provided at which persons resident in its area may deposit their household waste and for the disposal of waste so deposited”;

and that

“(a) each place is situated either within the area of the authority or so as to be reasonably accessible to persons resident in its area;

(b) each place is available for the deposit of waste at all reasonable times (including at least one period on the Saturday or following day of each week except a week in which the Saturday is 25th December or 1st January);

(c) each place is available for the deposit of waste free of charge by persons resident in the area.”.

Such places are known as Household Waste Recycling Centres (HWRCs) and OCC currently provides seven HWRCs throughout the County. The HWRC nearest to the proposed development is Ardley Fields, Brackley Road, Ardley, OX27 7PH. The

HWRCs in Oxfordshire are operating beyond their capacity including Ardley Fields HWRC. Site capacity is assessed by comparing the number of visitors on site at any one time (as measured by traffic monitoring) to the available space. This analysis shows that all sites are currently over capacity meaning residents need to queue before they are able to deposit materials at peak times, and many sites are nearing capacity during off peak times. Ardley Fields HWRC is over capacity by up to 40% during peak opening hours and queues can reach the public highway resulting in cars being turned away and residents asked to return at another time.

The proposed development will provide 230 dwellings. If each household makes four trips per annum (average number of trips/household based upon data from site satisfaction surveys) the development would impact on the already over capacity HWRCs by an additional 920 HWRC visits per year.

Congestion on site due to the operation of HWRC at overcapacity reduces recycling as residents who have already queued to enter are less willing to take the time necessary to sort materials into the correct bin and feel under pressure to move on as quickly as possible. Reduced recycling leads to higher costs and an adverse impact on the environment.

The Waste Regulations (England and Wales) 2011 enacted through the EU Waste Framework Directive 2008 require that waste is dealt with according to the waste hierarchy. To comply with the Regulations the County Council provides a large number of appropriate containers and storage areas at HWRCs to maximise the amount of waste reused or recycled that is delivered by local residents but due to the combination of a lack of space at HWRCs and the complex and varied nature of materials delivered to HWRCs it is becoming increasingly difficult to comply with Regulations.

To address the issues of overcapacity at HWRCs, which are compounded by housing growth, additional HWRC capacity is required.

**b) Directly related to the development**

The provision of additional HWRC capacity will enable OCC to operate an efficient, safe and sustainable centre to meet the needs of the residents of the proposed development.

**(c) Fairly and reasonably related in scale and kind to the development**

OCC currently has 41,000 m<sup>2</sup> of HWRC space across its 7 HWRCs. The amount of space needs to increase by 35% to meet current dwellings (300,090 taken from the County Council long term 2021). The amount of space required per dwelling is 0.18 m<sup>2</sup>.

In 2011 the County Council planned and costed the infrastructure for a new HWRC. The cost of infrastructure was estimated as £275 per m<sup>2</sup> of centre space.

The costs of purchasing land for a new HWRC was estimated by the County Council's Senior Estates Surveyor in 2021 as £247 per m<sup>2</sup>

The total cost of infrastructure and land for a new HWRC is therefore estimated as £522 m<sup>2</sup>.

The cost per dwelling is therefore £93.96 (522 x 0.18) BCIS 327.

The number of dwellings in the proposed development is 230 making the contribution required £21,611 BCIS 327.

## **7. Library Service**

### **7.1 Library Contribution - £12,485 index point 327 BCIS All-In-TPI towards Bicester Library including book stock**

#### **(a) Necessary to make the development acceptable in planning terms**

The County Council has a statutory duty under the Public Libraries and Museums Act 1964 'to provide a comprehensive and efficient library service for all persons' for all those who live, work or study in the area (Section 7).

In providing this service, councils must, among other things:

- encourage both adults and children to make full use of the library service (section 7(2)(b))
- lend books and other printed material free of charge for those who live, work or study in the area (in accordance with section 8(3))

The nearest local library serving the proposed development is Bicester Library,

A new library has been provided in the Franklins Yard development in Bicester. Part of the cost of the project was forward funded in advance of contributions being received from new development. The library was built to accommodate the growth planned for Bicester which includes this development. A contribution is required from this development toward repaying the cost of forward funding the delivery of Bicester library.

#### **b) Directly related to the development**

Bicester Library is the catchment local library serving the proposed development site and therefore has a direct relationship to the proposed development.

#### **(c) Fairly and reasonably related in scale and kind to the development**

The Bicester Library project had a total cost of £1,450,000 to the County Council. Of this there is £262,233 still left to be secured.

$£262,233 \div 8,100$  (housing growth remaining for Bicester area) = £32.37 (per dwelling)  
 $£32.37$  (per dwelling) x 230 (number of dwellings proposed by this application) =  
£7,445

The development proposal would also generate the need to increase the core book stock held by the local library by 1.2 items per additional resident. The price per volume is £7.50 = £9 per resident.

£9 (per person) x 560 (number of people estimated to be generated by the development) = £5,040

Total Contribution (£7,445 + £5,040) = **£12,485** (BCIS All-in Tender Price Index

Value 327)

This contribution is based on the unit mix stated above and a matrix will be included in the S106 agreement to adjust the contribution to reflect any change to the unit mix

## **7. ADMINISTRATION AND MONITORING FEE - £19,242**

Regulation 122 (2A) of the Community Infrastructure Levy (CIL) Regulations 2010 (as amended) now makes it clear that a monitoring fee can be charged to monitor planning obligations provided:

- (a) the sum to be paid fairly and reasonably relates in scale and kind to the development; and
- (b) the sum to be paid to the authority does not exceed the authority's estimate of its cost of monitoring the development over the lifetime of the planning obligations which relate to that development."

The fee meets these tests because:

In order to secure the delivery of the various infrastructure improvements, to meet the needs arising from development growth, OCC needs to monitor Section 106 planning obligations to ensure that these are fully complied with. To carry out this work, the County Council has set up a Planning Obligation Team and so charges an administration/monitoring fee towards funding this team of officers. The work carried out by the Planning Obligations Team arises solely as a result of OCC entering into Section 106 Agreements in order to mitigate the impact of development on the infrastructure for which OCC is responsible. OCC then has a resultant obligation to ensure that when money is spent, it is on those projects addressing the needs for which it was sought and secured. The officers of the Planning Obligation Team would not be employed to do this work were it not for the need for Section 106 Obligations associated with the development to mitigate the impact of developments.

OCC has developed a sophisticated recording and accounting system to ensure that each separate contribution (whether financial or otherwise), as set out in all S106 legal agreements, is logged using a unique reference number. Systematic cross-referencing enables the use and purpose of each contribution to be clearly identified and tracked throughout the lifetime of the agreement.

This role is carried out by the Planning Obligations Team which monitors each and every one of these Agreements and all of the Obligations within each Agreement from the completion of the Agreement, the start of the development through to the end of a development and often beyond, in order to ensure complete transparency and financial probity. It is the Planning Obligations Team which carries out all of the work recording Agreements and Obligations, calculating and collecting payments (including calculating indexation and any interest), raising invoices and corresponding with developers, and thereby enabling appropriate projects can be delivered. They also monitor the corresponding obligations to ensure that non-financial obligations, on both the developer and OCC are complied with.



To calculate fees OCC has looked at the number of Agreements signed in a year, the size and nature of the various Obligations in those Agreements, and how much work was expected in monitoring each Agreement. From this, OCC has calculated the structure/scale of monitoring fees that would cover the costs of that team. This was then tested to see whether or not the corresponding fees associated with X number of agreements at Y contributions, would be sufficient to meet the costs; the answer was yes.

The fees are reviewed annually and approved by Cabinet.

Dorchester Group

## OS Parcel 157- Adjoining and West Chilgrove Drive and Adjoining and North of, Camp Road, Heyford Park

Section 78 Appeal by: Richborough Estates, Lone Star Land Ltd, K and S Holford, A and S Dead, NP Giles and A L C Broadberry



# APPENDIX F

A43/M40 Slip Road/B430 (Ardley Roundabout)

Junction Assessment Results

## A43/M40 Slip Road/B430 (Ardley Roundabout) – Junction Assessment Results

Approach	AM Peak 08:00-09:00			PM Peak 17:00-18:00		
	RFC	Queue	Delay (s)	RFC	Queue	Delay (s)
<b>2023 Base</b>						
A43 (E)	0.35	1	2	0.32	1	2
M40 Slips	0.82	5	13	0.84	6	13
B430	0.36	1	4	0.41	1	5
<b>2026 Base</b>						
A43 (E)	0.36	1	3	0.33	1	2
M40 Slips	0.85	6	16	0.88	8	17
B430	0.38	1	4	0.44	1	5
<b>2026 Base + 50 dwellings</b>						
A43 (E)	0.36	1	3	0.33	1	2
M40 Slips	0.86	7	16	0.88	8	17
B430	0.38	1	4	0.44	1	5
<b>2027 Base</b>						
A43 (E)	0.37	1	3	0.33	1	2
M40 Slips	0.86	7	17	0.89	8	18
B430	0.38	1	4	0.44	1	5
<b>2027 Base + 100 dwellings</b>						
A43 (E)	0.37	1	3	0.34	1	2
M40 Slips	0.87	7	17	0.89	8	19
B430	0.40	1	4	0.45	1	5
<b>2028 Base</b>						
A43 (E)	0.37	1	3	0.34	1	2
M40 Slips	0.87	7	18	0.89	9	19
B430	0.39	1	4	0.45	1	5
<b>2028 Base + 150 dwellings</b>						
A43 (E)	0.37	1	3	0.34	1	2
M40 Slips	0.87	8	18	0.90	9	21
B430	0.41	1	5	0.46	1	5
<b>2031 Base</b>						
A43 (E)	0.38	1	3	0.34	1	2
M40 Slips	0.90	9	22	0.92	11	24
B430	0.40	1	5	0.47	1	6
<b>2031 Base + 230 dwellings</b>						
A43 (E)	0.39	1	3	0.36	1	2
M40 Slips	0.90	10	23	0.93	12	27
B430	0.44	1	5	0.48	1	6

RFC is Ratio of Flow to Capacity, Queue is mean max in PCUs, Delay is seconds per PCU.

## A43/M40 Slip Road Mitigation Scheme – Junction Assessment Results

Approach	AM Peak 08:00-09:00			PM Peak 17:00-18:00		
	Sat (%)	Queue	Delay (s)	Sat (%)	Queue	Delay (s)
<b>2031 Reference Case</b>						
A43 (N) Lane 1	83.4	13	17	64.6	9	10
A43 (N) Lane 2	83.8	14	17	65.0	9	10
M40 Slip L & R	82.1	7	28	86.1	9	37
M40 Slip Right	64.7	5	28	61.5	5	32
A43 (S) Lane 1	63.6	8	10	85.8	18	17
A43 (S) Lane 2	62.6	7	11	85.1	17	17
Cycle Time (s)	50			60		
PRC (%)	7.4			4.5		
Delay (PCUhr)	26.61			29.85		
<b>2031 Reference Case + Development</b>						
A43 (N) Lane 1	83.4	13	17	64.8	9	10
A43 (N) Lane 2	83.7	14	17	65.3	9	10
M40 Slip L & R	82.3	7	29	86.2	9	37
M40 Slip Right	64.3	5	28	61.7	5	32
A43 (S) Lane 1	64.0	8	11	85.9	18	18
A43 (S) Lane 2	63.1	8	11	85.3	17	18
Cycle Time (s)	50			60		
PRC (%)	7.5			4.4		
Delay (PCUhr)	26.73			30.05		

Sat % is saturation, Queue is mean max in PCUs, Delay is seconds per PCU.

Dorchester Group

## OS Parcel 157- Adjoining and West Chilgrove Drive and Adjoining and North of, Camp Road, Heyford Park

Section 78 Appeal by: Richborough Estates, Lone Star Land Ltd, K and S Holford, A and S Dead, NP Giles and A L C Broadberry



# APPENDIX G

A43-B4100 Baynards Green Roundabout

Junction Assessment Results

## A43/B4100 Baynards Green Roundabout – Junction Assessment Results

Approach	AM Peak 08:00-09:00			PM Peak 17:00-18:00		
	RFC	Queue	Delay (s)	RFC	Queue	Delay (s)
<b>2023 Base</b>						
A43 (N)	1.36	431	746	0.94	12	26
B4100 (E)	0.72	3	14	1.00	22	79
A43 (S)	0.97	20	38	1.36	453	736
B4100 (W)	0.36	1	9	0.31	1	9
<b>2026 Base</b>						
A43 (N)	1.44	570	990	0.99	26	48
B4100 (E)	0.75	3	16	1.08	48	152
A43 (S)	1.03	50	80	1.42	603	994
B4100 (W)	0.40	1	10	0.33	1	9
<b>2026 Base + 50 dwellings</b>						
A43 (N)	1.44	570	991	0.99	26	50
B4100 (E)	0.75	16	3	1.08	49	153
A43 (S)	1.03	52	82	1.43	604	995
B4100 (W)	0.40	1	10	0.33	1	9
<b>2027 Base</b>						
A43 (N)	1.45	588	1023	0.99	29	53
B4100 (E)	0.75	3	16	1.10	53	166
A43 (S)	1.04	56	88	1.44	625	1028
B4100 (W)	0.40	1	10	0.33	1	9
<b>2027 Base + 100 dwellings</b>						
A43 (N)	1.45	591	1029	1.00	30	55
B4100 (E)	0.75	3	16	1.10	54	168
A43 (S)	1.04	60	92	1.44	627	1032
B4100 (W)	0.40	1	10	0.33	1	9
<b>2028 Base</b>						
A43 (N)	1.46	608	1064	1.00	32	59
B4100 (E)	0.76	3	16	1.11	57	177
A43 (S)	1.04	63	97	1.44	644	1072
B4100 (W)	0.40	1	10	0.33	1	9
<b>2028 Base + 150 dwellings</b>						
A43 (N)	1.46	612	1072	1.01	35	62
B4100 (E)	0.76	3	16	1.11	59	181
A43 (S)	1.05	68	103	1.45	647	1082
B4100 (W)	0.40	1	10	0.33	1	9
<b>2031 Base</b>						
A43 (N)	1.49	670	1189	1.02	47	78
B4100 (E)	0.77	4	17	1.14	71	215
A43 (S)	1.07	85	125	1.47	702	1220
B4100 (W)	0.41	1	10	0.34	1	9

2031 Base + 230 dwellings						
A43 (N)	1.50	674	1205	1.03	52	85
B4100 (E)	0.77	4	17	1.14	72	222
A43 (S)	1.08	95	137	1.48	708	1237
B4100 (W)	0.41	1	10	0.34	1	9

RFC is Ratio of Flow to Capacity, Queue is mean max in PCUs, Delay is seconds per PCU.

## A43/B4100 Baynards Green Cumulative – Junction Assessment Results

Approach	AM Peak 08:00-09:00			PM Peak 17:00-18:00		
	RFC	Queue	Delay (s)	RFC	Queue	Delay (s)
<b>2031 Reference Case</b>						
A43 (N)	1.49	670	1190	1.02	47	78
B4100 (E)	0.77	4	17	1.14	71	215
A43 (S)	1.07	85	125	1.47	702	1220
B4100 (W)	0.41	1	10	0.34	1	9
<b>2031 Reference Case + Development</b>						
A43 (N)	1.49	670	1195	1.03	49	81
B4100 (E)	0.78	4	18	1.14	72	218
A43 (S)	1.08	92	133	1.48	706	1231
B4100 (W)	0.42	1	10	0.34	1	9

RFC is Ratio of Flow to Capacity, Queue is mean max in PCUs, Delay is seconds per PCU.



Dorchester Group

## OS Parcel 157- Adjoining and West Chilgrove Drive and Adjoining and North of, Camp Road, Heyford Park

Section 78 Appeal by: Richborough Estates, Lone Star Land Ltd, K and S Holford, A and S Dead, NP Giles and A L C Broadberry



# APPENDIX H

Hopcrofts Holt Signals & Mitigation

Junction Assessment Results

## A4260-B4030 Hopcrofts Holt Signals – Junction Assessment Results

Approach	AM Peak 08:00-09:00			PM Peak 17:00-18:00		
	Sat (%)	Queue	Delay (s)	Sat (%)	Queue	Delay (s)
<b>2023 Base</b>						
B4030 (E)	76.3	5	55	62.9	3	54
A4260 (S)	34.5	3	13	71.6	8	17
B4030 (W)	71.3	6	58	68.0	6	54
A4260 (N)	78.5	8	20	34.6	3	11
Cycle Time (s)	90			90		
PRC (%)	14.7			25.7		
Delay (PCUhr)	12.70			10.06		
<b>2026 Base</b>						
B4030 (E)	78.9	5	57	65.2	4	55
A4260 (S)	39.6	3	13	74.2	9	18
B4030 (W)	73.5	6	60	70.3	6	55
A4260 (N)	81.2	9	22	35.8	3	11
Cycle Time (s)	90			90		
PRC (%)	10.9			21.3		
Delay (PCUhr)	13.70			10.74		
<b>2026 Base + 50 dwellings</b>						
B4030 (E)	80.9	6	59	65.8	4	55
A4260 (S)	39.6	3	14	74.3	9	18
B4030 (W)	73.5	6	60	70.3	6	55
A4260 (N)	81.3	9	22	36.1	3	11
Cycle Time (s)	90			90		
PRC (%)	10.7			21.1		
Delay (PCUhr)	14.04			10.82		
<b>2027 Base</b>						
B4030 (E)	79.9	6	58	65.8	4	55
A4260 (S)	39.8	3	14	74.8	9	18
B4030 (W)	74.2	6	60	71.3	6	56
A4260 (N)	81.9	9	22	36.1	3	11
Cycle Time (s)	90			90		
PRC (%)	9.9			20.4		
Delay (PCUhr)	14.06			10.95		
<b>2027 Base + 100 dwellings</b>						
B4030 (E)	79.6	6	56	67.6	4	56
A4260 (S)	41.0	3	14	75.0	9	18
B4030 (W)	74.2	6	60	71.7	6	56
A4260 (N)	84.2	10	24	36.7	3	11
Cycle Time (s)	90			90		
PRC (%)	6.8			20.0		
Delay (PCUhr)	14.64			11.18		

2028 Base						
B4030 (E)	80.3	6	58	66.4	4	56
A4260 (S)	40.2	3	14	75.5	9	18
B4030 (W)	75.3	7	61	71.7	6	56
A4260 (N)	82.5	10	22	36.5	3	11
Cycle Time (s)	90			90		
PRC (%)	9.1			19.2		
Delay (PCUhr)	14.35			11.13		
2028 Base + 150 dwellings						
B4030 (E)	82.0	6	59	68.2	4	56
A4260 (S)	41.4	3	14	75.9	9	19
B4030 (W)	75.6	7	62	72.0	6	56
A4260 (N)	84.9	10	25	37.2	3	11
Cycle Time (s)	90			90		
PRC (%)	6.0			18.6		
Delay (PCUhr)	15.36			11.39		
2031 Base						
B4030 (E)	82.4	6	61	67.6	4	56
A4260 (S)	41.2	3	14	77.3	9	19
B4030 (W)	76.3	7	63	73.3	7	58
A4260 (N)	84.5	10	24	37.3	3	11
Cycle Time (s)	90			90		
PRC (%)	6.5			16.5		
Delay (PCUhr)	15.29			11.64		
2031 Base + 230 dwellings						
B4030 (E)	82.6	7	58	71.1	4	58
A4260 (S)	42.5	3	14	77.8	10	19
B4030 (W)	82.6	7	74	74.0	7	58
A4260 (N)	87.3	12	28	38.5	3	11
Cycle Time (s)	90			90		
PRC (%)	3.1			15.7		
Delay (PCUhr)	17.04			12.15		

Sat % is saturation, Queue is mean max in PCUs, Delay is seconds per PCU.

## Hopcrofts Holt Mitigation Scheme – Junction Assessment Results

Approach	AM Peak 08:00-09:00			PM Peak 17:00-18:00		
	Sat (%)	Queue	Delay (s)	Sat (%)	Queue	Delay (s)
<b>2031 Reference Case</b>						
B4030 (E)	127.1	27	529	89.6	11	106
A4260 (S)	56.7	7	14	93.1	39	40
B4030 (W) LT	12.9	1	65	18.2	1	69
B4030 (W) A & RT	121.3	26	450	86.6	6	133
A4260 (N)	104.4	87	127	44.4	9	16
Cycle Time (s)	120			120		
PRC (%)	-41.3			-3.5		
Delay (PCUhr)	97.68			25.84		
<b>2031 Reference Case + Development</b>						
B4030 (E)	126.1	31	506	92.0	12	114
A4260 (S)	65.0	7	15	94.1	40	42
B4030 (W) LT	12.9	1	65	18.2	1	69
B4030 (W) A & RT	121.9	26	458	88.1	7	138
A4260 (N)	106.0	97	153	46.0	10	16
Cycle Time (s)	120			120		
PRC (%)	-40.1			-4.5		
Delay (PCUhr)	111.95			28.02		

Sat % is saturation, Queue is mean max in PCUs, Delay is seconds per PCU.

Dorchester Group

## OS Parcel 157- Adjoining and West Chilgrove Drive and Adjoining and North of, Camp Road, Heyford Park

Section 78 Appeal by: Richborough Estates, Lone Star Land Ltd, K and S Holford, A and S Dead, NP Giles and A L C Broadberry



# APPENDIX I

B430/Ardley Road & Signals Mitigation

Junction Assessment Results

## B430/Ardley Road Signals Mitigation – Junction Assessment Results

Approach	AM Peak 08:00-09:00			PM Peak 17:00-18:00		
	Sat (%)	Queue	Delay (s)	Sat (%)	Queue	Delay (s)
<b>2031 Reference Case</b>						
B430 (N)	96.1	48	44	53.7	13	17
Ardley Road (E)	94.8	8	177	86.8	9	102
B430 (S)	54.6	13	12	89.3	36	29
Ardley Road (W)	94.8	14	125	83.9	9	93
Cycle Time (s)	120			120		
PRC (%)	-6.8			0.8		
Delay (PCUhr)	36.43			25.63		
<b>2031 Reference Case + Development</b>						
B430 (N)	97.2	52	49	55.4	13	17
Ardley Road (E)	94.8	8	177	86.8	9	102
B430 (S)	57.8	14	12	89.4	36	29
Ardley Road (W)	94.8	14	125	89.5	10	112
Cycle Time (s)	120			120		
PRC (%)	-8.0			0.5		
Delay (PCUhr)	39.04			26.81		

Sat % is saturation, Queue is mean max in PCUs, Delay is seconds per PCU.

## B430/Ardley Road – Junction Assessment Results

Approach	AM Peak 08:00-09:00			PM Peak 17:00-18:00		
	RFC	Queue	Delay (s)	RFC	Queue	Delay (s)
<b>2023 Base</b>						
Ardley Road (E) RT	0.41	1	21	0.27	0	15
Ardley Road (E) LT	0.20	0	10	0.12	0	8
B430 (N) RT	0.07	0	8	0.08	0	8
Ardley Road (W) RT	0.31	1	16	0.22	0	14
Ardley Road (W) LT	0.06	0	6	0.04	0	6
B430 (S) RT	0.24	1	7	0.17	1	5
<b>2026 Base</b>						
Ardley Road (E) RT	0.44	1	23	0.29	0	15
Ardley Road (E) LT	0.21	0	10	0.13	0	8
B430 (N) RT	0.07	0	9	0.09	0	8
Ardley Road (W) RT	0.33	1	17	0.23	0	14
Ardley Road (W) LT	0.06	0	7	0.05	0	6
B430 (S) RT	0.26	1	7	0.19	1	5
<b>2026 Base + 50 dwellings</b>						
Ardley Road (E) RT	0.44	1	24	0.29	0	15
Ardley Road (E) LT	0.21	0	10	0.13	0	8
B430 (N) RT	0.07	0	9	0.09	0	8
Ardley Road (W) RT	0.34	1	17	0.23	0	14
Ardley Road (W) LT	0.06	0	7	0.05	0	6
B430 (S) RT	0.26	1	7	0.19	1	5
<b>2027 Base</b>						
Ardley Road (E) RT	0.45	1	24	0.29	0	15
Ardley Road (E) LT	0.22	0	11	0.13	0	8
B430 (N) RT	0.07	0	9	0.09	0	8
Ardley Road (W) RT	0.34	1	17	0.24	0	14
Ardley Road (W) LT	0.06	0	7	0.05	0	6
B430 (S) RT	0.26	1	7	0.19	1	5
<b>2027 Base + 100 dwellings</b>						
Ardley Road (E) RT	0.45	1	25	0.30	0	16
Ardley Road (E) LT	0.22	0	11	0.13	0	8
B430 (N) RT	0.07	0	9	0.09	0	8
Ardley Road (W) RT	0.35	1	18	0.24	0	15
Ardley Road (W) LT	0.06	0	7	0.05	0	6
B430 (S) RT	0.27	1	7	0.19	1	5
<b>2028 Base</b>						
Ardley Road (E) RT	0.45	1	24	0.30	0	16
Ardley Road (E) LT	0.22	0	11	0.13	0	8
B430 (N) RT	0.07	0	9	0.09	0	8
Ardley Road (W) RT	0.34	1	18	0.24	0	15
Ardley Road (W) LT	0.06	0	7	0.05	0	6
B430 (S) RT	0.27	1	7	0.19	1	5

2028 Base + 150 dwellings						
Ardley Road (E) RT	0.47	1	26	0.31	0	16
Ardley Road (E) LT	0.22	0	11	0.13	0	8
B430 (N) RT	0.07	0	9	0.09	0	8
Ardley Road (W) RT	0.36	1	19	0.25	0	15
Ardley Road (W) LT	0.07	0	7	0.05	0	6
B430 (S) RT	0.27	1	7	0.20	1	5
2031 Base						
Ardley Road (E) RT	0.48	1	26	0.31	1	16
Ardley Road (E) LT	0.23	0	11	0.14	0	8
B430 (N) RT	0.07	0	9	0.09	0	8
Ardley Road (W) RT	0.36	1	19	0.25	0	15
Ardley Road (W) LT	0.07	0	7	0.05	0	6
B430 (S) RT	0.28	1	7	0.20	1	5
2031 Base + 230 dwellings						
Ardley Road (E) RT	0.50	1	29	0.32	1	17
Ardley Road (E) LT	0.23	0	11	0.14	0	8
B430 (N) RT	0.07	0	9	0.09	0	8
Ardley Road (W) RT	0.38	1	20	0.26	0	16
Ardley Road (W) LT	0.07	0	7	0.05	0	7
B430 (S) RT	0.29	1	7	0.21	1	5

RFC is Ratio of Flow to Capacity, Queue is mean max in PCUs, Delay is seconds per PCU.



Dorchester Group

## OS Parcel 157- Adjoining and West Chilgrove Drive and Adjoining and North of, Camp Road, Heyford Park

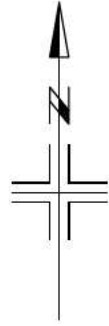
Section 78 Appeal by: Richborough Estates, Lone Star Land Ltd, K and S Holford, A and S Dead, NP Giles and A L C Broadberry



# APPENDIX J

Site Access Junction

Drawing T19562.001



NEW FOOTWAY TO CONNECT TO PROPOSED BUS STOP ADJACENT TO PYE HOMES DEVELOPMENT

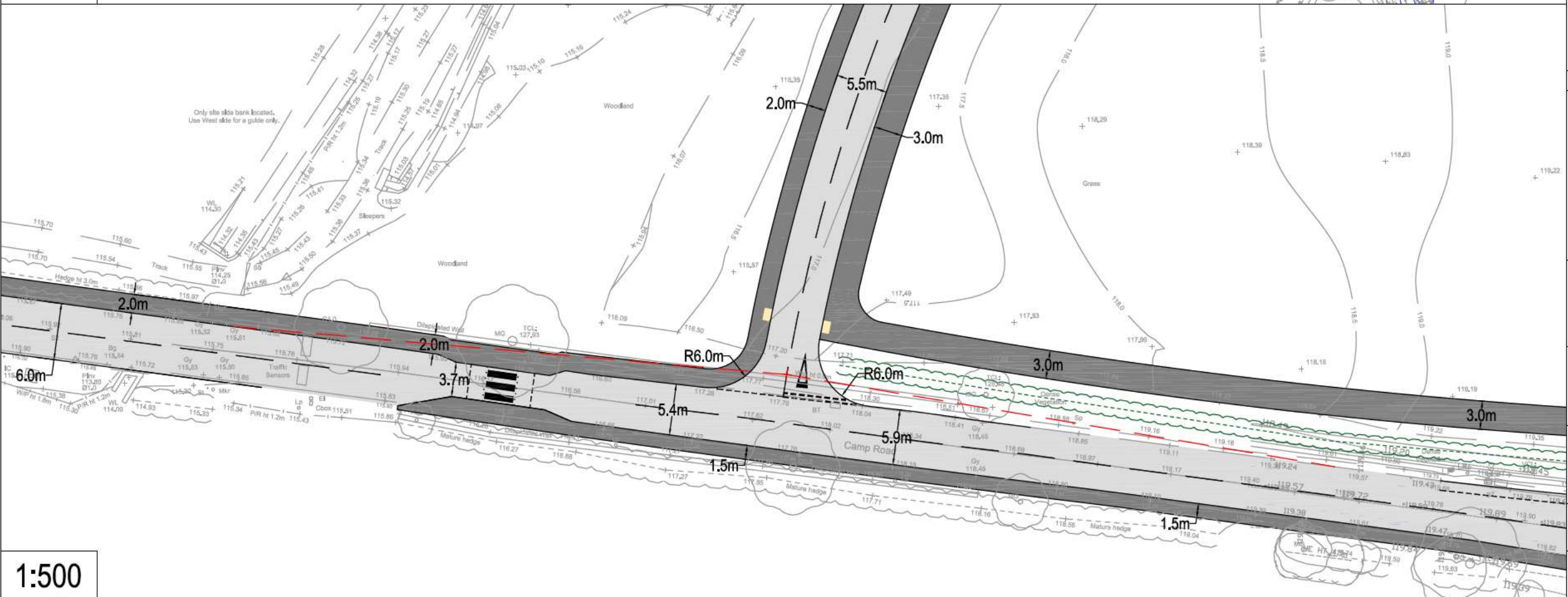
WHERE REQUIRED, EXISTING HEDGEROW TO BE REPLACED BY NEW SPECIES RICH HEDGEROW BEHIND 2.4M X 59M VISIBILITY SPLAYS

CARRIAGEWAY AND FOOTWAY TO TIE INTO PROPOSED TRAFFIC-CALMING SCHEME (ZEBRA CROSSING TO BE MOVED 6.0M EAST)

CARRIAGEWAY AND SHARED FOOTWAY/CYCLEWAY TO TIE INTO PROPOSED SIGNALS SCHEME AT CHILGROVE DRIVE WITH MINOR FLARE INCREASE

1. THIS DRAWING IS NOT TO BE SCALED FOR CONSTRUCTION PURPOSES.
2. THE CONTRACTOR SHALL CHECK ALL DIMENSIONS AND LEVELS ON SITE.

1:1250



1:500

A	MINOR JUNCTION AMENDMENTS	15.12.21	JP	GM
---	---------------------------	----------	----	----

REV	DESCRIPTION	DATE	BY	AUTH
-----	-------------	------	----	------



Hub Transport Planning Ltd  
Radclyffe House  
66/68 Hagley Road  
Edgbaston  
Birmingham  
West Midlands  
B16 8PF  
T: 0121 454 5530

CLIENT  
**RICHBOROUGH ESTATES & LONE STAR LAND**

PROJECT  
**HEYFORD PARK**

TITLE  
**SITE ACCESS JUNCTION WITH VISIBILITY SPLAYS AND CROSSING**

DRAWN	AUTHORISED	SCALE	SHEET SIZE	DATE
JP	GM	AS SHOWN	A3	25.10.21
PROJECT NO. T19562		DRAWING NO. 001		REV A

Dorchester Group

## OS Parcel 157- Adjoining and West Chilgrove Drive and Adjoining and North of, Camp Road, Heyford Park

Section 78 Appeal by: Richborough Estates, Lone Star Land Ltd, K and S Holford, A and S Dead, NP Giles and A L C Broadberry



# APPENDIX K

## Residential Design Guide

## Safety Audits

### Highway Improvements

- 14.25 The Road Traffic Act 1988 requires a Local Authority to take such measures as appear to the Authority to be appropriate to reduce the possibilities of accidents when new or improved roads come into use. The purpose of a Safety Audit is, therefore, to ensure that highway schemes will operate as safely as practicable by the systematic checking against safety standards and for other potential hazards from the perspective of all road users including pedestrians, cyclists, the mobility impaired, and drivers.
- 14.26 The County Council has a Safety Audit Policy which applies to the design, approval and construction processes for all new roads and the improvement and maintenance schemes which it undertakes in its role as County Highway Authority. Therefore, all improvements to the existing highway required to enable developments, which are subject to Section 278 and some other Agreements, will be safety audited. To ensure a detailed improvement scheme can be satisfactorily developed, the Highway Authority's advice to the Local Planning Authority will normally be that, where it is resolved to grant an outline planning consent, the consent notice should not be issued unless a feasibility layout for the highway improvement has first been submitted which has satisfied a Stage 1 or Preliminary Safety Audit. Exceptions may be made where it is clearly evident there would be no difficulty in securing a suitable improvement on land falling within the existing highway or controlled by the applicant without the need to demonstrate this further in plan form. Applicants are therefore advised that, in order to ensure the planning process can be completed as expeditiously as possible, it will, when appropriate, always be helpful to submit both a satisfactory feasibility layout and Stage 1 Safety Audit as part of their planning application.
- 14.27 Where a Safety Audit identifies a departure from standards or another safety problem, and whether or not a suggested solution is attached, the applicant or developer may request an exemption certificate to be issued in accordance with 14.35 below.
- 14.28 Where a Transport Assessment is required to be submitted and it recommends highway improvements to enable the development, then the feasibility layout and Stage 1 Safety Audit should always be included.

### New Roads

- 14.29 All new roads to be offered for adoption within new developments may be required to be formally safety audited or checked against recommended standards by the highways case officer depending on their particular circumstances. A formal Safety Audit will always be required for roads:-
- designed for traffic speeds greater than 20mph;
  - that constitute any main thoroughfare within the development;
  - that include significant variations from optimum design widths and/or other engineering design elements;
  - that include highway structures;



transport planning

keep up with mode:



Birmingham

☎ 0121 794 8390

London

☎ 020 7293 0217

Manchester

☎ 0161 464 9495

Reading

☎ 0118 211 8180

✉ [info@modetransport.co.uk](mailto:info@modetransport.co.uk) 📍 [modetransport.co.uk](http://modetransport.co.uk) 🐦 [@mode\\_transport](https://twitter.com/mode_transport)